



Tentative Agreement
on
Hanford Federal Facility Agreement and Consent
Order Change Forms Implementing Changes to
Central Plateau Cleanup

Quick Guide

March, 2010

Summary of changes

23 existing source operable units have been consolidated down to 10
(plus 3 new canyon facility based operable units for a total of 13)

26 new milestones created

- 9 new operable unit RI/FS and/or RFI/CMS milestones
- 2 new treatability testing milestones
- 5 new TSD closure milestones
- 2 facility remedial action milestones (U Plant)
- 5 new facility RI/FS milestones (B Plant, Redox, Purex)
- 1 new EECA milestone (for Tier 2 facilities)
- 2 new facility removal action work planning milestones (224B and 224T)

5 existing milestones modified

Scope and/or due date adjusted to align with new milestones

5 existing milestones deleted

- 4 had scope included in new milestones
- 1 redundant milestone deleted

Implementation of the Corrective Action Decision/Record of Decision
(CAD/ROD) documentation process

The DOE will now prepare Records of Decision in accordance with Executive
Order 12580

Agreement to negotiate coordination of SST soil contamination with other Deep
Vadose Zone RI/FS

Change Form C-09-07 Operable Unit Realignment

Transition of Operable Unit Structure										
Existing OUs	New OU assignments									
	PW-1/3/6 and CW-5	200 West Inner Area	200 East Inner Area	200-IS-1	Outer Area	B Plant	PUREX	REDOX	200-SW-2	Deep Vadose Zone
200-PW-1/3/6	200-PW-1/3/6									
200-CW-5	200-CW-5									
200-BC-1		200-WA-1								
200-CS-1			200-EA-1		200-OA-1					
200-CW-1		200-WA-1			200-CW-1				200-SW-2	
200-CW-3					200-CW-3					
200-IS-1				200-IS-1	200-OA-1	200-CB-1	200-CP-1	200-CR-1		
200-LW-1/2		200-WA-1	200-EA-1			200-CB-1	200-CP-1	200-CR-1		
200-MG-1/2		200-WA-1	200-EA-1		200-OA-1	200-CB-1	200-CP-1	200-CR-1	200-SW-2	
200-MW-1		200-WA-1	200-EA-1			200-CB-1	200-CP-1			
200-PW-2/4		200-WA-1	200-EA-1			200-CB-1	200-CP-1	200-CR-1		
200-PW-5		200-WA-1	200-EA-1					200-CR-1		200-DV-1
200-SC-1		200-WA-1	200-EA-1				200-CP-1			
200-SW-2					200-OA-1				200-SW-2	
200-TW-1/2		200-WA-1	200-EA-1							200-DV-1
200-UR-1		200-WA-1	200-EA-1		200-OA-1	200-CB-1				
200-UW-1		200-WA-1			200-OA-1					

Change Form M-15-09-02 RI/FS Process Milestones

Number	Milestone	Due Date
M-015-00	<p>Complete the RI/FS (or RFI/CMS <u>and RI/FS</u>) process for all <u>non-tank farm</u> operable units <u>except for canyon/associated past practice waste site OUs covered in M-85-00</u>. In instances where RCRA authority requires investigation of past practice units, Ecology agrees, pursuant to Ecology's Dangerous Waste Regulations, that DOE may satisfy the requirements for an RFI/CMS report by submitting an RI/FS report.</p> <p>A day for day slip in submitting the feasibility study report and proposed plan milestone will be given for each day the RI/FS work plan is not approved following six months after submittal.</p>	<p>TBD</p> <p><u>12/31/2016</u></p>
<p>M-015-00C</p> <p>LEAD AGENCY:</p> <p>DUAL</p>	<p>Complete all 200 Area Non Tank Farm operable unit site investigations under approved work plan schedules through submittal of feasibility study reports and a recommended remedy(ies). In instances where RCRA authority requires investigation of past practice units, Ecology agrees, pursuant to Ecology's Dangerous Waste Regulations, that DOE may satisfy the requirements for an RFI/CMS report by submitting an RI/FS report. The recommended remedy(ies) will be sufficiently comprehensive to satisfy the technical requirements of RCRA, Hazardous Waste Management Act (HWMA), and CERCLA statutory authorities and respective regulations with respect to all hazardous substances, pursuant to the HFFACO Article IV Paragraph 17 and Action Plan Section 5.4.</p>	<p>TBD</p>
<u>M-015-90</u>	<p><u>Submit revised RCRA Facility Investigation/Corrective Measures Study (RFI/CMS) & Remedial Investigation/Feasibility Study (RI/FS) work plan for 200-IS-1OU to Ecology.</u></p>	<p><u>06/30/2011</u></p>
<u>M-015-91A</u>	<p><u>Submit a Remedial Investigation/Feasibility Study work plan for the 200-WA-1 operable unit (200 West Inner Area) to EPA.</u></p>	<p><u>12/31/2011</u></p>
<u>M-015-91B</u>	<p><u>Submit Feasibility Study Report and Proposed Plan for the 200-WA-1 operable unit (200 West Inner Area) to EPA.</u></p>	<p><u>06/30/2013</u></p>

Number	Milestone	Due Date
<u>M-015-92A</u>	<u>Submit a RCRA Facility Investigation/Corrective Measures Study & Remedial Investigation/Feasibility Study work plan for the 200-EA-1 operable unit (200 East Inner Area) to Ecology.</u>	<u>12/31/2012</u>
<u>M-015-92B</u>	<u>Submit Corrective Measures Study & Feasibility Study Report(s) and Proposed Corrective Action Decision(s)/Proposed Plan(s) for the 200-EA-1 and 200-IS-1 OUs (Central Plateau 200 East Inner Area) to Ecology.</u>	<u>06/30/2014</u>
<u>M-015-93A</u>	<u>Submit revised RCRA Facility Investigation/Corrective Measures Study (RFI/CMS) & Remedial Investigation/Feasibility Study (RI/FS) work plan for the 200-SW-2 OU to Ecology.</u>	<u>12/31/2011</u>
<u>M-015-93B</u>	<u>Submit RCRA Facility Investigation/Corrective Measures Study & Remedial Investigation/Feasibility Study Report and Proposed Corrective Action Decision/Proposed Plan for the 200-SW-2 OU to Ecology.</u>	<u>12/31/2016</u>
<u>M-015-110A</u>	<u>Submit RCRA Facility Investigation/Corrective Measures Study (RFI/CMS) & Remedial Investigation/Feasibility Study (RI/FS) work plan for the 200-DV-1 OU to Ecology. The work plan shall include technology screening that identifies technologies applicable for characterization, treatment, and monitoring of deep vadose zone contaminants.</u>	<u>09/30/2012</u>
<u>M-015-110B</u>	<u>Submit Corrective Measures Study & Feasibility Study Report and Proposed Plan/Proposed Corrective Action Decision for the 200-DV-1 OU to Ecology.</u>	<u>09/30/2015</u>
<u>M-015-110C</u>	<u>Submit uranium treatment technology treatability test plan as an element of the RCRA facility investigation and remedial investigation for the 200-DV-1 OU to Ecology.</u>	<u>12/31/2010</u>
<u>M-015-110D</u>	<u>Submit technetium-99 pilot scale treatability study test report as an element of remedial investigation for the 200-WA-1 OU to EPA.</u>	<u>6/30/2012</u>
M-015-38B	Submit a revised Feasibility Study Report and revised Proposed Plan(s) for the 200-CW-1, 200-CW-3, and 200-OA-1 Operable Units for Waste Sites in the Outer Area of the Central Plateau to EPA Ecology. This proposed plan may be used as a basis for a Record Of Decision for the Outer Central Plateau Area.	<u>04/30/2012</u> <u>11/30/2010</u>

Number	Milestone	Due Date
M-015-17A	Submit a 200-UP-1 OU Combined Remedial Investigation and Feasibility Study Report as well as a <u>and Proposed Plan to EPA Ecology.</u>	09/30/2010
M-015-21A	Submit a 200-BP-5 and 200-PO-1 OU Feasibility Study Report and Proposed Plan(s) to EPA Ecology.	12/31/2012
M-015-44C	Submit 200-MW-1 OU Proposed Plan to EPA.	02/28/2011
M-015-51	SUBMIT A REVISED FEASIBILITY STUDY REPORT AND PROPOSED PLAN FOR THE 200-BC CRIBS AND TRENCHES FOR THE NEW OU 200-BC-1 TO EPA, THAT WILL INCLUDE THE RESULTS OF THE TREATABILITY TESTS FOR 200-BC CRIBS AND TRENCHES.	09/30/2010
M-015-73	SUBMIT FEASIBILITY STUDY REPORT AND PROPOSED PLAN FOR THE 200-PO-1 OPERABLE UNIT.	12/31/2011
M-015-83	SUBMIT A PROPOSED PLAN FOR 200-UW-1	6/30/2010

Change Form M-37-10-01 RCRA Closure Milestones

Number	Milestone	Due Date
<u>M-037-01</u>	<u>Submit Revised Closure Plan to support TSD closure of the Hexone Storage and Treatment Facility (276-S-141/142) TSD unit.</u> <u>Note: Issuance of the draft closure plan as part of public comment on Revision 9 of the Hanford Facility RCRA Permit satisfies this milestone.</u>	<u>12/31/2010</u>
<u>M-037-02</u>	<u>Submit Revised Closure Plans to support TSD closure for five (5) TSD Units: 207-A South Retention Basin, 216-A-29 Ditch, 216-A-36B Crib, 216-A-37-1 Crib, and 216-B-63 Trench.</u>	<u>06/30/2014</u>
<u>M-037-03</u>	<u>Submit Revised Closure Plans to support TSD closure for two (2) TSD Units: 216-B-3 Main Pond system, and 216-S-10 Pond and Ditch.</u>	<u>04/30/2012</u>
<u>M-037-10</u>	<u>Complete Unit-Specific Closure Requirements According To The Closure Plan(s) For seven (7) TSD Units: 207-A South Retention Basin, 216-A-29 Ditch, 216-A-36B Crib, 216-A-37-1 Crib, 216-B-63 Trench, Hexone Storage and Treatment Facility (276-S-141/142), and 241-CX Tank System (241-CX-70/71/72).</u>	<u>9/30/2020</u>
<u>M-037-11</u>	<u>Complete unit-specific closure requirements for two (2) TSD Units: 216-B-3 Main Pond system and 216-S-10 Pond and Ditch.</u>	<u>9/30/2016</u>

Change Form M-16-09-03 U Plant Remediation

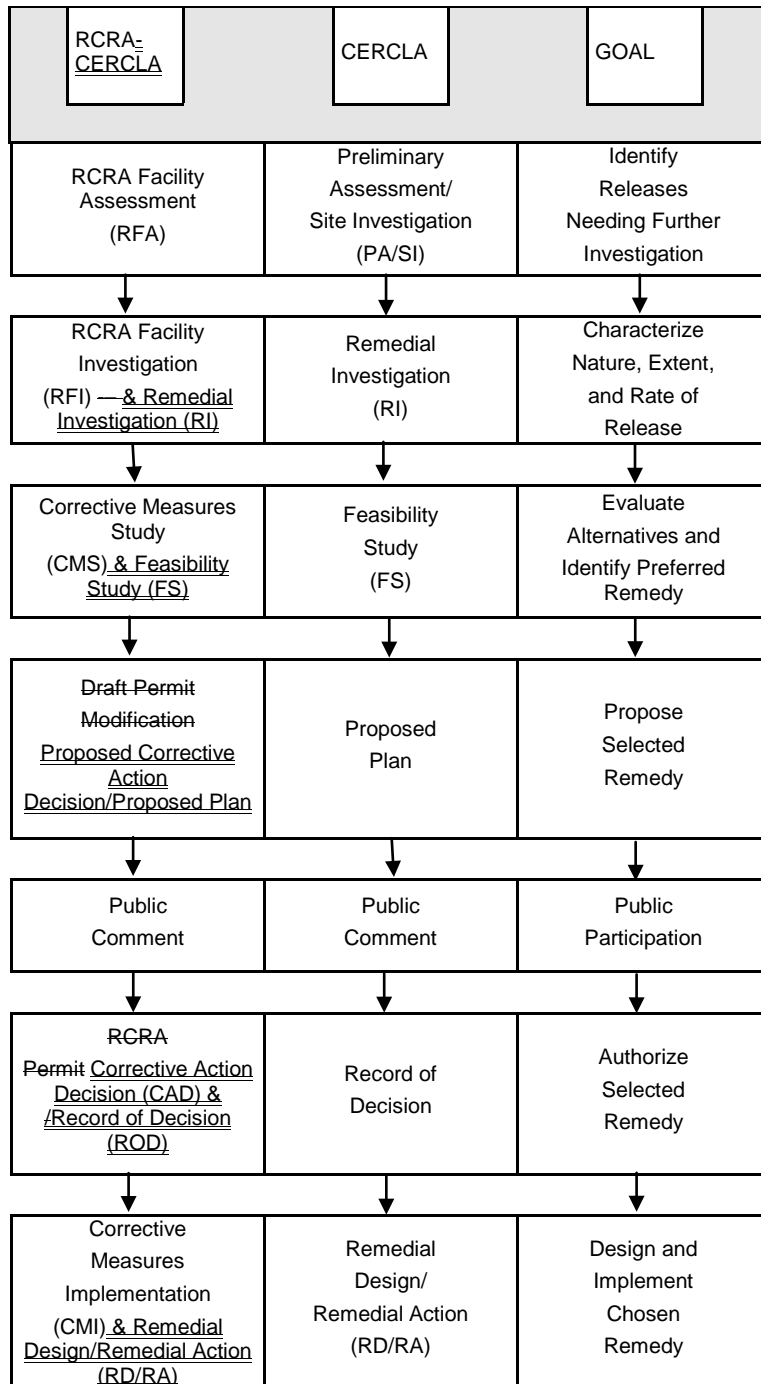
Number	Milestone	Due Date
M-016-00	<p>Complete remedial actions for all non-tank farm <u>and non-canyon</u> operable units.</p> <p>Note: See operable unit LRA designation listing in Appendix C.</p> <p>It is assumed that the Record of Decision will be signed 6 months after the proposed plan is submitted. Per Action Plan Section 11.6 a day-for-day slip in the RD/RA Work Plan due date will be given for each day the remedy decision is not issued past the 6 month date. The document review, comment and approval process prescribed in the action plan of the HFFACO Section 9 will be followed.</p> <p>The schedule for completion of the construction of the remedy will reflect the scope and complexity of the selected remedial action. The schedule for remedial action implementation will be established upon regulatory agency approval of the RD/RA work plans and is enforceable as a HFFACO requirement.</p>	09/30/2024
<u>M-016-200A</u>	<u>Complete U Plant canyon (221 U Facility) demolition in accordance with the Remedial Design/Remedial Action Work Plan.</u>	<u>9/30/2017</u>
<u>M-016-200B</u>	<u>Complete U Plant (221 U Facility) barrier construction in accordance with the Remedial Design/Remedial Action Work Plan.</u>	<u>09/30/2021</u>

Change Form M-85-10-01 Facility Based OU Remediation

Number	Milestone	Due Date
<u>M-085-00</u> <u>LEAD</u> <u>AGENCY:</u> <u>DUAL</u>	<p><u>Complete response actions for the canyon facilities/associated past practice waste sites, other Tier 1 Central Plateau facilities not covered by existing milestones, and Tier 2 Central Plateau facilities.</u></p> <p><u>This includes B Plant, PUREX, and REDOX canyons and associated past practice waste sites in 200-CB-1, 200-CP-1, and 200-CR-1 OUs. The milestone does not include U Plant or T Plant canyons.</u></p>	<u>TBD</u>
<u>M-085-01</u>	<u>Submit a change package to establish a date for major milestone M-085-00.</u>	<u>09/30/2012</u>
<u>M-085-10A</u>	<u>Submit Remedial Investigation/Feasibility Study Work Plan for the 200-CB-1 OU (B Plant Canyon/associated past practice waste sites) to Ecology.</u>	<u>12/31/2011</u>

<u>M-085-20A</u>	<u>Submit Remedial Investigation/Feasibility Study Work Plan for the 200-CP-1 OU (PUREX Canyon/associated past practice waste sites) to Ecology.</u>	<u>09/30/2015</u>
<u>M-085-30A</u>	<u>Submit Remedial Investigation/Feasibility Study Work Plan for the 200-CR-1 OU (REDOX Canyon /associated past practice waste sites) to EPA.</u>	<u>12/31/2017</u>
<u>M-085-50</u>	<u>Submit revised removal action work plan for the 224B Concentration Facility in accordance with the Action Memorandum for the Non-Time Critical Removal Action for the 224-B Plutonium Concentration Facility (DOE/RL-2004-36). A change package with a completion milestone will accompany the submittal of the work plan.</u>	<u>12/31/2015</u>
<u>M-085-51</u>	<u>Submit removal action work plan for the 224T Transuranic Storage and Assay Facility in accordance with the Action Memorandum for the Non-Time-Critical Removal Action for the 224-T Plutonium Concentration Facility (DOE/RL-2004-68). A change package with a completion milestone will accompany the submittal of the work plan.</u>	<u>12/31/2025</u>
<u>M-085-60</u>	<u>Complete Engineering Evaluation/Cost Analysis report(s) for all Tier 2 facilities listed in Appendix J.</u>	<u>03/31/2018</u>

Change Form P-00-09-01 CAD/ROD Implementation



Change Form P-07-09-02 DOE Prepares the ROD(s)

(Changes to Tri-Party Agreement Action Plan Section 7.3.8)

7.3.8 Record of Decision

After the public comment period on the FS ~~Phase III~~ Report and the ~~Proposed~~ Plan has closed, the ~~Record of Decision~~ (ROD) process will begin. ~~The~~ A draft ROD will be prepared by the ~~lead regulatory agency and~~ Department of Energy in accordance with EPA guidance and NCP requirements and will be provided to the lead regulatory agency within 60 days of the close of the Proposed Plan comment period, or other timeline as agreed to by the parties. The lead regulatory agency, working with DOE (and EPA if Ecology is the lead regulatory agency), will finalize the ROD within 120 days of delivery of the draft ROD or other timeline as agreed to by the parties; any disputes arising with DOE during development of the final ROD will be resolved in accordance with the dispute resolution procedures in Article XVI, Resolution of Disputes. The ROD will describe the decision making process for remedy selection, and summarize the alternatives developed, screened, and evaluated in accordance with CERCLA and the NCP and include a responsiveness summary addressing comments provided on the Proposed Plan. The lead regulatory agency is responsible for reviewing the comments received and will prepare a responsiveness summary that will accompany the ROD. Although all of the RI/FS and preliminary determinations through the process of drafting the ROD will be the responsibility of DOE and the lead regulatory agency for a given operable unit, the ROD must be signed by ~~the~~ EPA. The ROD will become part of the administrative record ~~for each operable unit.~~ The lead regulatory agency shall continue its role after issuance of the ROD, including oversight of the remedial design and remedial action phases, as described below.

Tank Media Agreement In Principle

AGREEMENT IN PRINCIPLE

NEGOTIATION OF HANFORD FEDERAL FACILITY AGREEMENT AND CONSENT ORDER REVISIONS TO ADDRESS SOIL CONTAMINATION FROM SINGLE SHELL TANKS AND COORDINATION OF INVESTIGATION AND REMEDIATION OF THIS CONTAMINATION WITH OTHER DEEP VADOSE ZONE INVESTIGATION AND REMEDIAL ACTIONS

The U.S. Department of Energy (DOE), the U.S. Environmental Protection Agency (EPA) and the State of Washington Department of Ecology (Ecology) (or Parties) agree to discuss and negotiate revisions of the Hanford Federal Facility Agreement and Consent Order (HFFACO) that may be appropriate to ensure: 1) that all soil contamination from single shell tanks, including radionuclides, is addressed in accordance with applicable regulatory requirements; and 2) that the investigation and remediation of soil contamination from single shell tanks is coordinated with action taken elsewhere at the Hanford site to investigate and remediate deep vadose zone contamination. These discussions are intended to further define the approach described in HFFACO Action Plan Appendix I.

The Parties agree to the following:

- A. To enter into such discussions as soon as the Consent Decree in *Washington v. Chu*, Case No. 08-5085-FVS is entered into court ;
- B. To conclude such discussions within 60 days;
- C. To identify and attempt to agree upon changes to the TPA on the above matters within 60 days;
- D. To offer consultation with the affected Indian Nations and to provide briefings to the State of Oregon, the Hanford Advisory Board, and other stakeholders, as appropriate.
- E. To revise the relevant sections of the Tri-Party Agreement and/or its Action Plan to reflect the path forward as negotiated and agreed to after consideration of public comment, if appropriate.

This Agreement in Principle is to take effect upon the signature of the Parties. Any Party may withdraw from the Agreement in Principle upon written notice to the other Parties. This Agreement in Principle does not create any right or benefit, substantive or procedural, enforceable by law or equity by any person, including the Parties to this Agreement.