



U.S. DEPARTMENT OF ENERGY

MEDIA CONTACTS:

Erik Olds, *Department of Energy*
(509) 372-8656
Nolan Curtis, *WA Department of Ecology*
(509) 372-7954

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**COMMENT PERIOD FOR PROPOSED CONSENT DECREE
AND TRI-PARTY AGREEMENT MODIFICATIONS BEGINS**

The comment period for a proposed legal settlement that will impose a revised, enforceable schedule for tank waste cleanup at the Hanford Site in southeastern Washington State began October 1, 2009. The 72-day comment period will end December 11, 2009.

In August, Washington State and federal officials announced a proposed judicial consent decree between the Department of Energy (DOE) and Washington State that will set a new schedule for construction and startup of the Waste Treatment Plant (WTP) and retrieving waste from 19 single-shell storage tanks at Hanford during construction of the WTP. Hanford currently stores 53 million gallons of radioactive and chemical waste in 177 underground tanks at the Site. The proposed consent decree will settle a lawsuit filed by Washington State that was joined by the State of Oregon to compel DOE to complete key aspects of the cleanup.

In conjunction with the consent decree, DOE, the U.S. Environmental Protection Agency (EPA), and the Washington State Department of Ecology (Ecology) – the Tri-Party Agreement (TPA) agencies - are proposing changes to the TPA to establish a new schedule that increases the current pace of waste retrieval from single-shell storage tanks (completing all by 2040), and treating all of the tank waste by 2047.

The TPA agencies are seeking comments on the proposed consent decree and modifications to the TPA before they are finalized. The proposed TPA modifications extend the current schedule for completing retrieval of waste from single-shell tanks from 2018 to 2040, and for completing treatment of tank waste from 2028 to 2047. New proposed TPA milestones require DOE and Ecology to periodically re-evaluate whether it may be possible to complete the retrieval of waste from single-shell tanks and complete waste treatment sooner than the proposed milestone dates, and if so, negotiate new dates. Under the agreement, DOE will also prepare an annual scope, cost and schedule report for all Hanford cleanup actions.

As a part of the settlement, DOE will include in the draft Tank Closure and Waste Management Environmental Impact Statement (TC & WM EIS) a preferred alternative of not importing certain off-site wastes to Hanford at least until the WTP is operational.

During the public comment period, DOE, EPA and Ecology will hold a public workshop to provide information on the proposed consent decree and TPA modifications. The workshop will be held October 6, 2009, from 9 a.m. – 3 p.m., at the Hampton Inn in Richland, Washington.

Following the workshop, representatives from DOE, EPA and Ecology will hold five public meetings around the Pacific Northwest to collect comments on the proposed consent decree and TPA modifications. The meetings will begin at 6 p.m. with an open house, followed by the public meeting at 7 p.m. in the following locations:

October 26, 2009, Best Western Hood River Inn, Hood River, Oregon

October 27, 2009, Double Tree Hotel, Portland, Oregon

October 29, 2009, Hampton Inn, Richland Washington

November 9, 2009, Double Tree Hotel, Spokane, Washington

November 12, 2009, Quality Inn & Suites, Seattle, Washington

After the comment period closes, the comments received will be considered. After this consideration and assuming there is no comment-based reason to reconsider finalizing the proposed agreements and that the draft TC & WM EIS has been published, a request will be made for the court to enter the proposed consent decree. When the court enters the consent decree, the modified TPA will become final, putting both documents into effect. The TPA agencies will prepare a responsiveness summary for the changes to the TPA.

Copies of the proposed consent decree, TPA modifications and other documents can be found at <http://www5.hanford.gov/hanford/eventcalendar/>

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