



Status of Proposed Tri-Party Agreement Changes to Central Plateau Cleanup Work

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Hanford Advisory Board Meeting

April 8, 2010

Meeting purpose

- Provide an update on Tri-Party Agreement (TPA) Central Plateau negotiations and the draft TPA change packages.
- Discuss how comments on the Central Plateau Cleanup Completion Strategy influenced negotiations.
- Discuss next steps.

Background

- In August 2008, the agencies signed an Agreement in Principle to change the Central Plateau facilities removal activities.
- During the Spring of 2009, the agencies held a public comment period on a series of proposed milestone changes and signed an Agreement in Principle to guide discussions on the development of a more comprehensive approach to Central Plateau cleanup.
- Some of these 2009 milestones required the agencies to negotiate new schedules for certain Central Plateau cleanup work.
 - For example, TPA milestone M-091-45 required DOE to submit a change package to replace existing “To Be Determined” dates in specified M-091 milestones with actual dates, and replace “To Be Determined” cubic meter volumes with actual volumes.
- These draft change packages propose new schedules for this work and reflect the agencies’ efforts to better integrate and streamline cleanup in the Central Plateau.
- During the past year, DOE and the regulatory agencies have participated in several discussions with the Tribal Nations, State of Oregon, Hanford Advisory Board, and other stakeholders that were considered in these negotiations.

Status of TPA Negotiations

- The agencies expect to complete negotiations by mid-April 2010, followed by public comment periods.
- The proposed changes involve:
 - Cleanup of the Central Plateau waste sites, facilities and groundwater.
 - Legal Agreement and Action Plan changes to coordinate CERCLA and RCRA Corrective Action processes for alternative evaluation and decision-making.
 - Action Plan change to clarify responsibility for preparation of draft Records of Decision and Proposed Corrective Action Decisions
 - Management of mixed transuranic waste and mixed low-level waste.
- Agencies signed an Agreement in Principle to address contamination from single-shell tanks and coordinate with other deep vadose zone investigations and remedial actions.

Proposed Central Plateau Cleanup Milestones

Summary of Proposed Changes

Central Plateau waste sites, facilities and groundwater

- Revise decision architecture to focus on geographic area-based operable units.
- Add milestones for deep vadose zone treatment technology and decisions.
- Coordinate canyon facilities and waste sites.
- Update and incorporate the facility disposition process.
- Coordinate RCRA/CERCLA, including combined decision documents: [Corrective Action Decision–Record of Decision (CAD-ROD)].
- Address preparation of draft Records of Decision.

With the addition of milestones for facilities and deep vadose zone, TPA now includes a comprehensive picture of cleanup activities on the Central Plateau.

Evolution of Remedial Investigation/Feasibility Study Approach from DOE's Initial Strategy

Proposed Decision Structure as of February 19, 2009

Inner Area	Outer Area	Groundwater
1. Inner Area	1. Outer Area	1. Groundwater

Proposed Decision Structure as of July 1, 2009

Inner Area	Outer Area	Groundwater
1. 200 West Inner Area	1. Outer Area	1. 200 W Groundwater
2. 200 East Inner Area		2. 200 E Groundwater
3. Balance of Inner Area		

Proposed Decision Structure as of September 30, 2009

Inner Area	Outer Area	Groundwater
1. 200 W Inner Area	1. Outer Area	1. 200 W Groundwater
2. 200 E Inner Area		2. 200 E Groundwater
3. Balance of Inner Area		
4. 200-PW-1/3/6 and 200-CW-5		

Proposed Decision Structure as of February 24, 2010

Inner Area	Outer Area	Groundwater
1. 200 W Inner Area	1. Outer Area	1. 200 W Groundwater
2. 200 E Inner Area		2. 200 E Groundwater
3. 200-SW-2 (Burial Grounds)		
4. Deep Vadose Zone		
5. 200-PW-1/3/6 and 200-CW-5 Canyons & associated waste sites		
6. PUREX	7. B Plant	
8. REDOX	9. T Plant*	

*Because T Plant continues to operate, it is not addressed in this change package.

Remedial Investigation/Feasibility Study Approach

Inner Area

	# Waste Sites	
1. 200-PW-1/3/6 and 200-CW-5	21	Spring, 2010 (no milestone)
2. 200 West Inner Area	174	
• RI/FS Work Plan		December 31, 2011
• FS/PP		June 2013
3. 200 East Inner Area/Pipelines	200	
• Pipeline RI/FS Work Plan		June 30, 2011
• RI/FS Work Plan		December 31, 2012
• FS(s)/PP/Proposed Corrective Action Decision		June 2014
4. Deep Vadose Zone	44	
• RI/FS Work Plan		September 30, 2012
• FS/ PP/Proposed Corrective Action Decision		September 30, 2015
5. 200-SW-2 (Burial Grounds)	28	
• RI/FS Work Plan		December 31, 2011
• RI/FS/ PP/Proposed Corrective Action Decision		December 31, 2016
Canyons & associated waste sites		
6. B Plant RI/FS work plan	16	December 31, 2011
7. PUREX RI/FS work plan	20	September 30, 2015
8. REDOX RI/FS work plan	7	December 31, 2017

Outer Area

1. Outer Area FS/PP	85	April 30, 2012
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Groundwater

1. 200 West Groundwater combined RI/FS/PP	0	September 30, 2010
2. 200 East Groundwater consolidated FS/PP	0	December 31, 2012

Incorporate Milestones for Deep Vadose Zone Treatment Technology and Decisions

- The agencies agree that focus on deep vadose zone is a high priority because of potential impact to groundwater.
- Remedies not readily available off the shelf.
- Need a holistic and coordinated approach to developing and implementing technologies for addressing deep vadose zone.
- RI/FS work plan for deep vadose zone to include technology screening and recommendations for additional pilot and field testing; feasibility study and proposed plan to follow.
- New M-15 series milestones added to continue uranium and technetium-99 remedy development.
- DOE and its contractors are establishing a project team to focus on development of deep vadose zone remedies.

Coordination of Canyons/Waste Sites and Facility Disposition Process

- Milestones added to M-16 series to include U Plant canyon demolition and barrier construction.
- New M-85 milestone series for Remedial Investigation/Feasibility Study (RI/FS) process for canyon facilities, associated waste sites, and other Central Plateau facilities.
- Created new TPA Appendix J to include an initial list of inactive facilities in the Central Plateau that will require a CERCLA response action.
- Revision to TPA Action Plan Section 8 “Facility Disposition Process” that applies the CERCLA response action process to final disposition of the facilities.

RCRA/CERCLA Coordination and Preparation of Draft Records of Decision

- Revise Legal Agreement and Action Plan to coordinate RCRA Corrective Action and CERCLA decisions for some past practice waste sites.
- Propose a RCRA permit modification to support the proposed TPA CAD and ROD process changes-public comment period to run concurrent with the comment period on the draft TPA change packages.
- Add new M-37 milestone series to coordinate RCRA treatment, storage and disposal (TSD) unit closure plans and completion of closure with CERCLA response action schedules.
- Revise Action Plan to clarify roles for preparation of draft Records of Decision and proposed Corrective Action Decisions.

Agreement in Principle

- Develop TPA revisions to address contamination from single-shell tanks (DOE preference is to use CERCLA) and to coordinate with other deep vadose zone investigations and remedial actions.
- Engage in discussion on remediation of environmental media contamination.
- Enter into discussion when consent decree is entered in to court.
- Conclude discussions within 60 days.
- Revise relevant sections of TPA and/or Action Plan to reflect outcome of discussion.
- Offer consultation with the Tribal Nations and provide briefings to the State of Oregon, the Hanford Advisory Board, and other stakeholders, as appropriate.



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 as appropriate 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:

- To enter into such discussions as soon as the Consent Decree in Washington v. Chu, Case No. 08-5085-FVS is entered into court;
- To conclude such discussions within 60 days;
- To identify and attempt to agree upon changes to the TPA on the above matters within 60 days;
- 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.
- 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.

_____ Date	_____ Date
Jane A. Hedges, Program Manager Nuclear Waste Program Department of Ecology State of Washington	Dave A. Brockman U.S. Department of Energy Richland Operations Office

Proposed M-091 Milestones

Summary of Proposed M-091 Changes

Retrievably-stored Transuranic Mixed and Retrievably-stored Mixed Low-Level Waste

- Adjust existing M-091 milestones to consider American Recovery & Reinvestment Act funding and overall Hanford priorities.
- Streamline and simplify change package content in response to 2009 public comments.
 - Replace “To Be Determined” dates.
 - Change embedded milestones to stand-alone milestones.
 - Simplify language.
 - Add milestone to address “No Path Forward” waste.

Summary of Proposed Changes (continued)

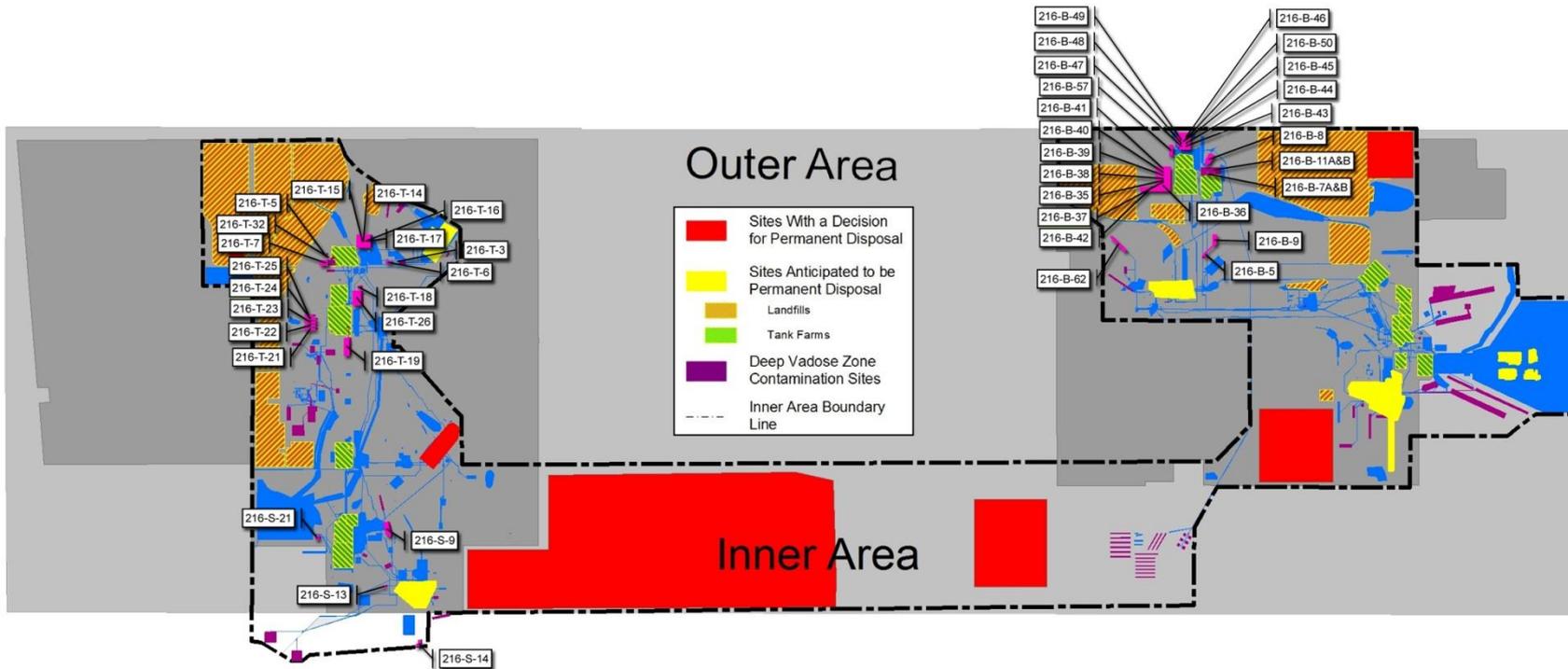
Retrievably-stored Transuranic Mixed and Retrievably-stored Mixed Low-Level Waste

- Establish enforceable milestones for retrieval, certification and shipment of transuranic mixed (TRUM) waste in FY 2011 (aligned with ARRA funding), 2015 and 2016 (for certification of TRUM).
- Establish enforceable milestones for the certification and shipment of TRUM off-site including large container contact-handled TRUM.
- Identify target milestones for FYs 2012-2014, consistent with higher Site priorities for retrieval and treatment of TRUM waste.
- Modify milestone structure to complete the conceptual and definitive design for disposition of remote-handled TRUM waste and large container TRUM waste; including a milestone to establish treatment and shipment of waste generated.

Next Steps

- TPA agencies have signed a Tentative Agreement for Central Plateau cleanup.
- The agencies are finalizing a Tentative Agreement for management of mixed transuranic and mixed low-level waste.
- Draft Central Plateau and M-091 change packages are expected to be available for a 45-day public comment period April 26, 2010.
- Based on the level of stakeholder interest, the agencies will consider holding public meetings.
- The agencies plan to develop comment and response documents and finalize the draft change packages late summer 2010.

Central Plateau Backup Slide



M-091 Change Package Backup Slides

Acquisition of Capabilities for Processing Transuranic Mixed Waste

- This milestone is based on acquisition of robust remote-handled processing capabilities.
 - Alternative approaches are currently under investigation; however, limited capability in the commercial sector is available.
 - Annual progress is reported in the Hanford Site Transuranic Mixed and Mixed Low-Level Project Management Plan, M-091-03.
- This milestone includes:
 - Complete the conceptual design for remote-handled/contact-handled large package transuranic mixed capability by September 30, 2016.
 - Complete the definitive design for remote-handled/contact-handled large package transuranic mixed capability by September 30, 2018.
- Establish treatment and shipment milestones after completion of design under M-091-44 (Contact-handled Large Container and Remote-handled Transuranic Mixed Waste).

Retrieval of Contact-Handled Retrievably Stored Waste

- Annual milestones established for retrieval of suspect retrievably stored waste .
- Enforceable milestones in FYs 2011 and 2015.
- Target milestones in FYs 2012, 2013, and 2014.
- Milestone completion date of September 30, 2016.

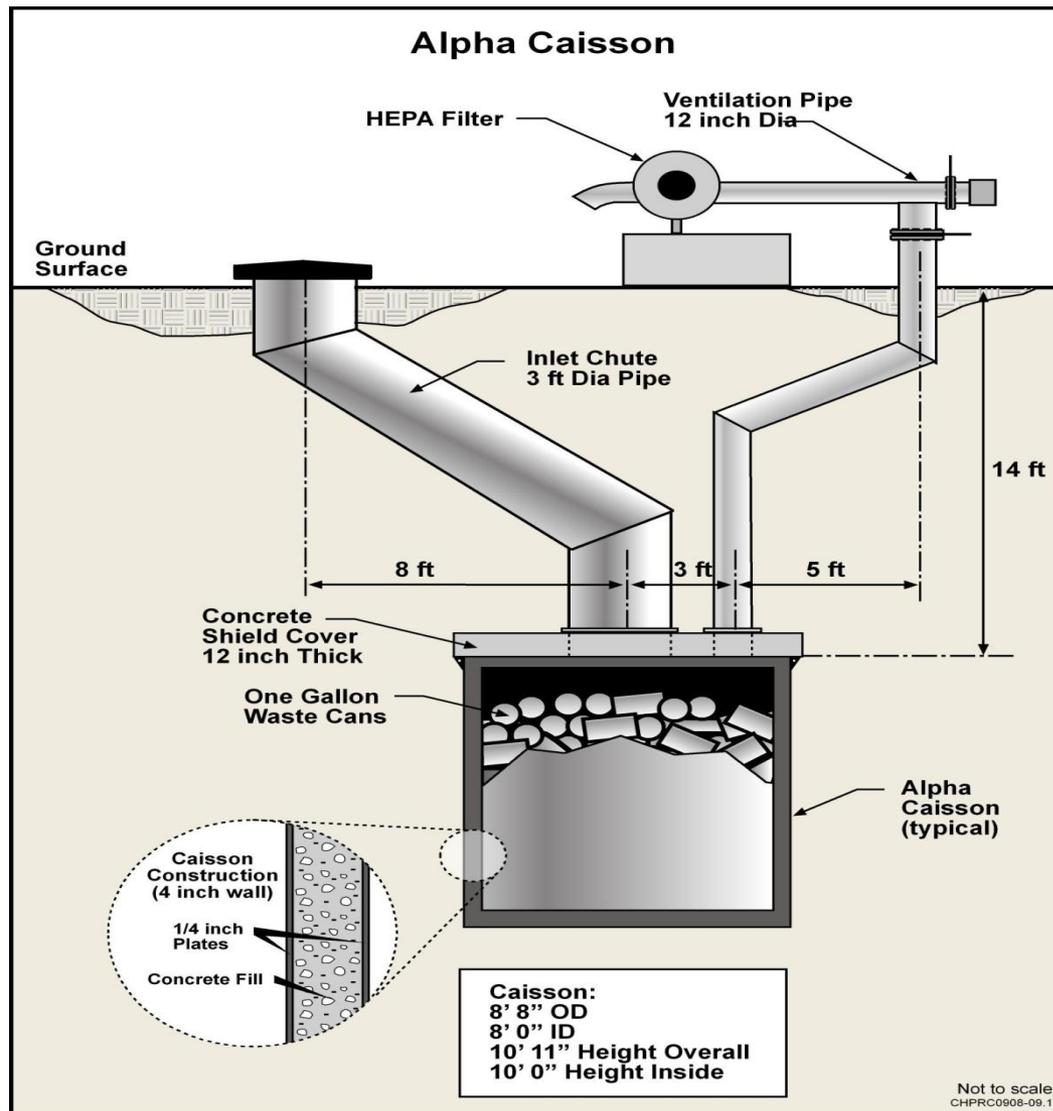


The installation of a cover box for Box 1 in 3A Trench 17. (8/14/09)



Box 27, 3A Trench 17 partially excavated. The lid to the box is partially concave. (07/16/09)

Retrieval of Remote-Handled Retrievably Stored Waste



- Completion of retrieval of non-caisson remote-handled retrievably stored waste by September 30, 2016.
- Completion date for retrieval of 200 Area caisson waste by December 30, 2018.
 - No change to this milestone

Treatment of Contact-Handled Small Container Mixed Low-Level Waste

- Completion date for treatment of contact-handled, small container mixed low-level waste in storage and from retrieval is September 30, 2017.
- Establishes new target milestone completion date of September 30, 2011 to include the Project Management Plan the plans for treatment of “No Path Forward” and Toxic Substances Control Act (TSCA) waste.
- Consistent with RCRA, perform treatment within one year of generation for newly generated wastes (after June 30, 2009) to prevent a buildup of legacy waste in storage.



Drums containing backlog soils stored at the Central Waste Complex prior to shipments.



The Central Waste Complex after shipments.

Treatment of Contact-Handled Large Container and Remote-Handled Mixed Low-Level Waste

- Completion date for treatment of contact - handled large container and remote-handled mixed low-level waste in storage and from retrieval is September 30, 2017.
- Established new target date to treat waste in storage as of June 30, 2009 by September 30, 2011.



Two shipments consisting of mixed low-level and low-level waste being loaded onto a truck at the Central Waste Complex.

Certification/Shipment of Contact-Handled Small Container Transuranic Mixed Waste



Nuclear chemical operators hired using Recovery Act funds prepare drums to be filled for repackaging at the T Plant Canyon.

- Created a new milestone series with annual milestones established for treatment/certification of small container TRUM waste.
- Enforceable milestones to produce certifiable TRUM waste in FY 2011.
 - Consistent with ARRA funding
- Target milestones in FYs 2012, 2013 and 2014.
- Complete shipment of 1000m³ of TRUM for off-site disposal by September 30, 2011.
- Complete treatment/certification by September 30, 2017.
 - Linked to completion of retrieval
- Complete shipment of contact-handled small container TRUM for off-site disposal by September 30, 2018.

Treatment of Contact-Handled Large Container and Remote-Handled TRUM Waste

- Requires annual treatment milestones for contact-handled large package and remote-handled TRUM waste .
 - Treat/certify 300 cubic meters by September 30, 2016, 2017 and 2018, respectively.
 - Propose annual treatment and shipment milestones for completion of all waste on September 30, 2018.
 - Following completion of definitive design, need to complete disposition of waste from this milestone (from M-091-01).
 - Complete treatment and shipment by December 31, 2035.