

United States Environmental Protection Agency  
Idaho Department of Environmental Quality  
United States Department of Energy

**AGREEMENT TO EXTEND DEADLINES**

**March 21, 2008**

**PURPOSE AND EFFECT:**

This Agreement to Extend Deadlines is entered into between the state of Idaho (Idaho), the U.S. Environmental Protection Agency (EPA), and the U.S. Department of Energy (DOE) (collectively "the Agencies") to provide for an extension of time for the submission of two (2) deliverables due under the 1991 Federal Facility Agreement and Consent Order (FFA/CO) for Waste Area Group (WAG) 7, Operable Units (OU) 7-13/14 and 7-10 as set forth in the 2001 Agreement to Resolve Disputes as amended by the 2004 Agreement to Extend Deadlines. This Agreement amends the 2004 Agreement to Extend Deadlines and the 2001 Agreement to Resolve Disputes only as set forth below. All other provisions of those documents shall remain in full force and effect.

**BASIS FOR FINDING OF GOOD CAUSE:**

In consultation with Idaho and EPA, DOE is proceeding with removal actions to retrieve some transuranic and other waste from portions of the Subsurface Disposal Area (SDA) at the Idaho National Laboratory (INL). The Agencies are also working cooperatively to evaluate and prepare responses to the public comments received on the Proposed Plan.

The Agencies require additional time to complete the necessary consultation and analysis of the public comments on the Proposed Plan, and develop a draft record of decision. The Agencies therefore find good cause to extend a deadline related to OU 7-13/14 pursuant to Paragraphs 13.1 and 13.2(e) of the FFA/CO. The Agencies hereby agree to extend as follows a deadline for OU 7-13/14 established in Paragraph 3.3.1-4 of the April 18, 2002 "Agreement to Resolve Disputes" (2002 Agreement), a settlement of disputes arising under the FFA/CO:

- DOE shall submit the Draft ROD for WAG 7 by no later than June 2, 2008.

In addition, the Agencies concur that good cause exists to extend the following deadline related to OU 7-10 (Pit 9) pursuant to Paragraphs 13.1 and 13.2(e) of the FFA/CO:

- Complete Remedial Design and commence construction (2002 Agreement paragraph 3.2.2). The new deadline shall be October 1, 2008.

This Agreement to Extend Deadlines does not affect or relate to any other provisions of the 2002 Agreement or other disputes between the Agencies, including but not limited to any disputes related to the ultimate remedy for OU 7-13/14 or the terms and conditions of the 1995 Settlement Agreement in the consolidated case, *Public Service Company of Colorado v. Batt*, CV-91-0035-S-EJL and CV-91-0054-S-EJL.

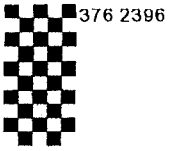
This Agreement to Extend Deadlines shall not be admissible in any other proceedings other than for their enforcement under the Agreement to Resolve Disputes and the FFA/CO; and it shall be effective upon signature by representatives of all three Agencies.

**IT IS SO AGREED:**

By: Orville D. Green

Date: 3-24-08

Orville D. Green  
Administrator, Waste Management & Remediation  
Idaho Department of Environmental Quality

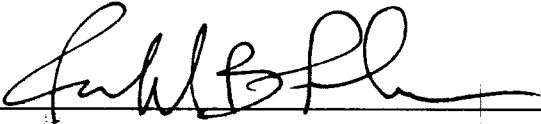


**IT IS SO AGREED:**

By: Nicholas Ceto Date: 3/24/08

Nicholas Ceto  
Program Manager  
Hanford/INL Project Office  
U.S. Environmental Protection Agency

**IT IS SO AGREED:**

By:  Date: 3/21/2008

Richard B. Provencher  
Deputy Manager, Idaho Cleanup Project  
U.S. Department of Energy  
Idaho Operations Office