



Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON

Ecology Division

2425 Bristol Court SW 2nd Floor • Olympia WA 98502
PO Box 40117 • Olympia WA 98504-0117 • (360) 586-6770

April 23, 2014

Mr. David J. Kaplan
Senior Attorney
United States Department of Justice
Environment & Natural Resources Division
601 D Street N.W.
Washington, D.C. 20004
David.Kaplan@usdoj.gov

Mr. Steven C. Silverman
Deputy Assistant Attorney General
United States Department of Justice
Environment & Natural Resources Division
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530-0001
Steve.Silverman@usdoj.gov

RE: ***Washington v. Chu***
U.S.D.C. Eastern No. 08-5085-FVS
Washington's Notice Invoking Dispute Resolution Based on Department of
Energy's Refusal to Accept Washington's March 31, 2014, Proposal to Amend
Consent Decree

Dear Mr. Kaplan and Mr. Silverman:

On March 31, 2014, pursuant to Section VII of the Consent Decree in *Washington v. Chu*, No. 08-5085-FVS (Consent Decree), we provided to the Department of Energy the State of Washington's Proposal to Amend Hanford Consent Decree and Add Provisions to the Tri-Party Agreement. On April 18, 2014, Energy communicated to us that Washington's March 31st proposal was not acceptable to Energy.

This letter constitutes Washington's notice that Washington is triggering dispute resolution under Section VII.A.3 (dispute resolution when one party does not agree to other party's proposed amendment) and Section IX. This letter constitutes Washington's written demand for immediate commencement of good faith negotiations to endeavor to settle the dispute.

Representatives of the State of Washington are available to meet with members of Energy's team at your earliest convenience.

Sincerely,

MARY SUE WILSON
Sr. Assistant Attorney General
(360) 586-6743

ANDREW A. FITZ
Senior Counsel
(360) 586-6752

MSW:AAF:def
By e-mail

cc: Stephanie Parent, DOJ Oregon
Dennis McLerran, EPA Region 10