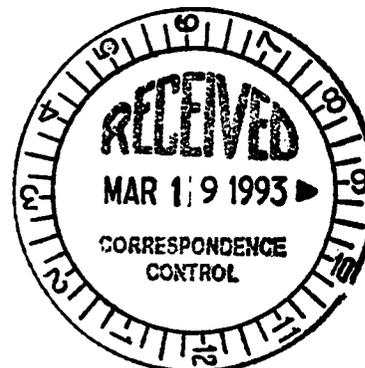




March 11, 1993

Steven H. Wisness
Tri-Party Agreement Manager
U.S. Department of Energy
P.O. Box 550, A5-15
Richland, Washington 99352



Re: Milestone M-14-00

Dear Mr. Wisness:

During the last Unit Manager meeting, a briefing was given to the Environmental Protection Agency (EPA) and the Washington State Department of Ecology (Ecology) regarding efforts to complete Milestone M-14-00. Although our staff was assured that the recently issued Request for Proposal (RFP) was consistent with the objectives and intent of M-14-00 and the Dispute Settlement, we asked to review the RFP. Upon our review, it became very clear that the RFP was not consistent with our interpretation of M-14-00 and the Dispute Settlement.

Specifically, the RFP is built on an incorrect assumption that the laboratory services required by M-14-04 do not have to be fully available by the milestone date. As currently stated in the RFP, the vendor is only required to run one sample of any type by October 1995. We brought this matter to the attention of the Department of Energy (DOE) and Westinghouse Hanford Company (WHC) and have held two separate meetings on this matter in the last week. At yesterday's meeting, EPA and Ecology staff agreed to provide a letter of clarification to assist DOE and WHC as they revise the current RFP.

EPA and Ecology have a very clear understanding of the interpretation of M-14-04, which ends with the sentence, "The date for commencement of local operations will be October, 1995". Those involved in the negotiations for the M-14-00 dispute will recall that the October 1995 date provided ample time for staff training and to work through any issues encountered during the start-up phase. During negotiations, DOE and WHC staff stated that a six-month period was necessary for such training and for ramping up to full capacity. In fact, this same logic was used to establish M-14-02 and M-14-03 which pertain to the on-site laboratory. The construction completion date (M-14-02) precedes the date for initiating operations (M-14-03) by a period of six months. We understood that the M-14-04 laboratory services might well be provided in the local area by a private vendor through an RFP. In this case, we chose not to set a construction completion date and to only specify the date for commencement of local operations. We assumed that DOE and WHC were factoring in a six month period prior to October 1995 to allow a vendor to work through start-up issues and to ramp up to full capacity.

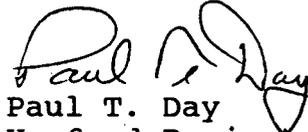


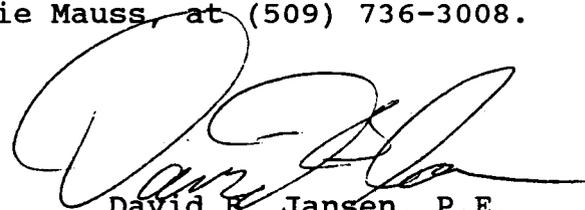
In succinct terms, EPA and Ecology require the laboratory services specified by M-14-04 to be fully operational by October 31, 1995. Our definition of fully operational means that the laboratory is staffed and equipped to conduct any of the analyses required and can operate at full capacity. Full capacity means the laboratory is able to meet at least 80 percent of the analytical requirements for the environmental restoration and waste management programs at the Hanford Site. We expect that the ramping up to the 80 percent level will occur in the months prior to October 1995. Therefore, on October 31, 1995, the local laboratory will begin receiving at least 80 percent of the above mentioned samples from Hanford. Obviously, those samples that have been submitted to other laboratories prior to October 1995 will remain at those laboratories through completion of analyses.

EPA and Ecology do not intend to routinely review RFPs issued by DOE or its contractors. In this case, it was fortunate that we did such a review and we hope that this intervention will result in a mutually agreeable revision to the RFP. Our overall goal is to ensure that the necessary laboratory services are provided to support Hanford Tri-Party Agreement analytical needs in timely manner.

If you have questions on any of the above, please contact Paul Day at (509) 376-6623 or Billie Mauss, at (509) 736-3008.

Sincerely,


 Paul T. Day
 Hanford Project Manager
 EPA Region 10


 David B. Jansen, P.E.
 Hanford Project Manager
 Washington State
 Department of Ecology

- cc: George Hofer, EPA
- Billie Mauss, Ecology
- Ron Izatt, DOE
- Donna Wanek, DOE
- Bob Larson, DOE
- June Hennig, DOE
- Becky Austin, WHC



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