

# START



February 4, 1991

Steven H. Wisness  
Hanford Project Manager  
U.S. Department of Energy  
P.O. Box 550, A6-95  
Richland, Washington 99352

Re: 200-BP-1 Proposed Work Scope Reduction for FY 1991

Dear Mr. Wisness:

As stated in my previous letter of November 7, 1990, "No alterations to the approved scope and schedule will be considered until such time as the U.S. Department of Energy (DOE) has met its 200-BP-1 commitments for FY90 and FY91 and provides the technical justification for such changes." This statement represents the U.S. Environmental Protection Agency's (EPA) position on the 200-BP-1 Work Scope.

Your letter of February 1, 1991 states that a more detailed review of the characterization work necessary has resulted in the proposed scope changes. EPA requires that changes to an approved work plan must be based on sound technical data gathered during the investigation. Since no data has been gathered on any of the major field sampling tasks (Task 2, Task 3, Task 4, and Task 7), there is no technical justification for any work scope reduction.

The activities and scheduled start dates for these tasks were as follows:

		<u>Start Date</u>
Task 2	Source Sampling and Analysis	11/1/90
Task 3	Surface and Near-Surface Soil Sampling and Analysis	11/1/90
Task 4	Vadose Zone Soil Sampling and Analysis	11/1/90
Task 7	Groundwater Sampling and Analysis (the entire network including all new wells)	7/1/90

No change package will be accepted for any field sampling task without actual field sampling and validated laboratory analysis. Failure to initiate field activities as scheduled is a unilateral action taken by DOE without concurrence by EPA. EPA

February 4, 1991

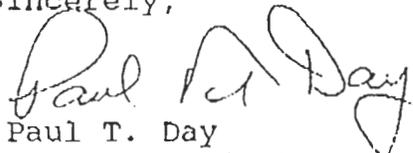
considers the failure of DOE to initiate major field activities, such as these specified above, as confirmation that DOE does not intend to perform work that was agreed to by EPA in a complete and timely manner. In some cases, such as with Tasks 2 and 4, field work was to have begun over three months ago, after ample opportunity (27 months) for planning and preparation. DOE failed to provide EPA with written justification for this delay.

Your letter of February 1, 1991 confirms the intent of DOE not to comply with the terms of the approved Remedial Investigation/Feasibility Study Work Plan for the 200-BP-1 Operable Unit Hanford Site, Richland, Washington. EPA considers the refusal of DOE to initiate activities of fundamental importance to the determination of the final remedy to be a "failure" as described in the Hanford Federal Facility Agreement and Consent Order (Agreement). Continued refusal to initiate these activities is considered to be a "failure" as described in Paragraph 63 of the Agreement and may result in assessment of CERCLA stipulated penalties.

EPA expects DOE to initiate activities on all scheduled tasks without delay. Until the commitments in the approved schedule are met, no change control package for workscope reduction will be considered. All field work as specified in the approved work plan must be completed in accordance with the currently approved schedule. Provide this office with notification that the work has begun.

If you have questions on the level of technical justification required to support work plan changes, you may contact Doug Sherwood at (509) 376-9529.

Sincerely,



Paul T. Day  
Hanford Project Manager

cc: A. Boyd, EPA  
J. Erickson, DOE  
R. Freeberg, DOE  
L. Goldstein/T.Nord, Ecology  
G. Hofer, EPA  
R. Izatt, DOE  
D. Lacombe, PRC  
R. Lerch, WHC  
W. Staubitz, USGS  
T. Veneziano, WHC

~~Administrative Record 200-BP-17~~

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Author P. T. Day, EPA Addressee S. H. Wisness, RL Correspondence No. Incoming 9103769

Subject: 200-BP-1 PROPOSED WORK SCOPE REDUCTION FOR FY 1991

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**PLEASE NOTE:** This letter is dated February 4, 1991. Two letters can be referenced as follows:

9100958B, R. D. Izatt, RL, to President, WHC, "200-BP-1 Proposed Work Scope Reduction," dated February 15, 1991.

9100703, S. H. Wisness, RL, to P. T. Day, EPA, "200-BP-1 Proposed Work Scope for FY 1991," dated February 1, 1991.

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