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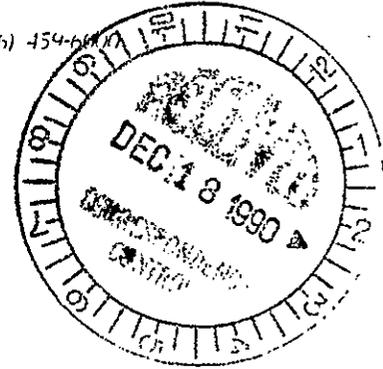
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STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

Mail Stop PV-11 • Olympia, Washington 98504-8711 • (206) 454-6000



Mr. Steve Wisness
U. S. Department of Energy
P. O. Box 550
Richland, Washington 99352

Re: Construction of the 200 E Area Liquid Effluent Retention Facility

Dear Mr. Wisness:

This letter is sent to you to clearly articulate Ecology's position regarding the recent construction of two of the four test pads for the 200 E Area Liquid Effluent Retention Facility (LERF).

You are aware that differences of opinion exist as to whether approval was granted by Ecology for the start of construction of the test pads. You state, according to Westinghouse personnel, verbal approval was provided by Mr. Paul Stasch during a telephone conference call on November 27, 1990. According to Mr. Paul Stasch, he did not provide verbal approval, and he further stated that written approval would be provided after USDOE transmits the revised test fill plan to Ecology. Additionally, you state Mr. Richard Nevarez called our field engineer, Hap Rantala, after this telephone conference and received verbal approval from him to start construction. Hap Rantala no longer works for Ecology and cannot be reached.

In light of the above, I maintain that USDOE did not receive formal approval to begin construction nor did USDOE or its contractors notify Ecology that construction had commenced. My November 16, 1990 letter to you specifically stated construction could not begin until approval was provided. Although the word approval was not prefaced with the word "written", it is universally understood in matters like this that written approval is implied.

The two test pads that were constructed cannot be accepted for their intended purpose. Upon written approval of the test fill plan document from Ecology, construction of new pads can commence.

All future activities on this project needing "approval" shall be done in writing. This will prevent any future problems and misunderstanding. I am sorry for the inconvenience this has caused you and your staff and the resources that already have been expended.

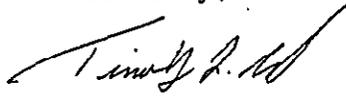


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Mr. Steve Wisness
December 11, 1990
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If you have any questions, please contact Mr. Paul Stasch, Ecology's Unit Manager on this project. Mr. Stasch's telephone number is (206) 459-6725.

Sincerely,



Timothy L. Nord
Hanford Project Manager

cc: Roger Stanley
Toby Michelena
Paul Stasch
Paul Day, EPA
Dale Mckinney, Westinghouse
~~Tim Veneziano~~ AR

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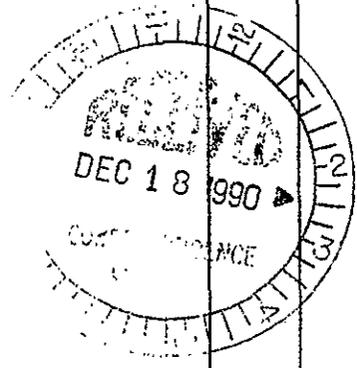


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