**Department of Energy**
Washington, DC 20585

APR 25 2008

The Honorable Ron Wyden
United States Senate
Washington, D.C. 20510

Dear Senator Wyden:

The Department of Energy (Department) appreciates your continued interest in construction of the Waste Treatment and Immobilization Plant (WTP) at the Hanford Site in southeastern Washington State. Energy Secretary Samuel Bodman has requested that I respond to your April 8, 2008, letter on his behalf. Your letter addresses concerns relating to the adequacy of quality control and quality assurance exercised by Bechtel National Inc. (BNI) and its subcontractors on piping systems for installation in the WTP "Black Cells."

In 2007, BNI self-identified the issue with the Black Cell piping fabrication and promptly notified the Department. When this issue was discovered, BNI stopped all WTP work associated with piping installation and initiated an investigation to determine the scope and cause of the issue. Subsequently, a series of assessments have been implemented to ensure that the full scope and implications of the problem are well understood and adequately addressed. These reviews are staffed by more than 40 experts in quality assurance and engineering from government and private industry.

Based on the results of reviews completed to date, a number of actions have been taken. These actions include: hiring and training additional key staff; expanding the required inspections; rigorous oversight and review of procurement deliverables; revision of the management systems for deficiency correction; and clarification of procurement papers and processes. As a result of these corrective actions, the Department is confident that all Black Cell piping will meet specification requirements.

Regarding the WTP computerized control network, the Department is evaluating two approaches to ensure the immobilization of high level waste meets appropriate quality standards. The first approach would be to utilize the computerized control network to operate the controls for the immobilization process equipment and ensure that the system results in immobilized waste meeting appropriate quality standards. The second approach would be to take samples of the waste as it passes through the immobilization process to ensure the samples meet appropriate quality standards. The evaluation of these two approaches is planned to be completed by the fourth quarter of fiscal year 2008.

Regarding the larger issue in your letter about addressing construction management and procurement problems for critical WTP systems, the Department's Office of River Protection (ORP), in addition to the actions mentioned above, has hired four new quality

assurance personnel and three experienced contract support personnel to enforce quality standards more rigorously. An expanded oversight assessment program is functioning across engineering, procurement and construction quality topics.

Also, contractor fees can be adjusted based on performance, and ORP has exercised adjustments when warranted. In addition, fines for violations of the Price Anderson Act Amendment regulations, which address nuclear safety, are paid from contractor profits.

The Department remains committed to safely building and operating the Waste Treatment and Immobilization Plant, the cornerstone of the tank waste cleanup mission at the Hanford site. The Department also remains confident that the technical approach is the viable solution to immobilize and disposition the 53 million gallons of high-level radioactive waste. As the project proceeds forward, we will continue to share with you our progress. ~~We are confident we can fulfill our commitment to protect human health~~ and the environment.

Thank you again for your continued interest in the WTP. If you have any questions or would like a briefing for more detail, please contact me or Mr. Forrest D. Allen, Deputy Assistant Secretary for Congressional and Intergovernmental Affairs, at (202) 586-5450.

Sincerely,

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Inés Triay (Acting for)
Assistant Secretary for
Environmental Management