



C*O*N*G*R*E*S*S*I*O*N*A*L
CHIEF OF LEGISLATIVE LIAISON
CONGRESSIONAL INQUIRY DIVISION
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September 21, 2004

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Control ID: 40902490

Task Officer: Paul Shigeta 703-697-6709*

Tasked Agency: CECS

Action: Direct Reply

Suspense Date: 9/28/2004

Constituent: Richard Shelby

Subject: Tetra Tech-Foster Wheeler/Unexploded Ordnance (UXO) Remediation

Member of Congress: Senator Richard Shelby

Remarks: This is a SEC ARMY tasking. Suspense must be met. Task to USACE
Huntsville Office - Mr. Dan Copeland (256) 895-1567.

Keyword: CONTRACT
CONTRACT PERFORMANCE ISSUES
FORT MCCLELLAN
JOINT POWERS AUTHORITY
TETRA TECH-FOSTER WHEELER

24-hour FAX Service:
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If there is a problem with this TRANSMITTAL, please call the Task Officer
listed above

*DSN: 614=224; 693=223; 695=225; 697=227

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REMINDER: Direct replies require a courtesy copy be provided to OCLL

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The Honorable Les Brownlee
Acting Secretary of the Army
The Pentagon
Washington, DC 20310-0102

Dear Secretary Brownlee,

A troubling situation has recently come to my attention and I believe that it requires immediate attention. Tetra Tech-Foster Wheeler, was awarded a contract by the Army for unexploded ordnance (UXO) remediation at the former Fort McClellan in Anniston, Alabama. It has been alleged that Tetra Tech-Foster Wheeler has engaged in a blatant attempt to circumvent the contract by illegally hiding found UXO rather than destroying them according to required procedure.

Repeated incidents such as those alleged at the former Fort McClellan, as well as similar incidents by the same contractor at other locations, have severely damaged the confidence of state regulators and the local community. At this point, my constituents no longer believe that Army contractors will be able to successfully complete the cleanup of UXO at Fort McClellan. I believe that such mistrust within the local community will translate into significant and costly time delays for the completion of this cleanup, and may very well taint the reuse potential of the affected property. I do not believe that these outcomes are in the best interests of the Army or the citizens of Anniston or Calhoun County, who are shouldering more than their fair share of defense-related environmental risks.

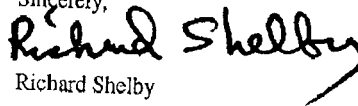
In light of the emerging situation, I believe that serious consideration should be given to an expansion of the Army's successful privatization effort already underway at Fort McClellan to include the remainder of the unexploded ordnance cleanup. Such a collaborative effort coupled with more significant involvement by the Joint Powers Authority (JPA) could minimize delays and restore much needed confidence in the entire process.

I am very concerned about this situation and want to know that every effort is being made to correct, what in my view is a significant problem with the clean-up at Fort McClellan. I am scheduled to visit Fort McClellan in the coming weeks and anticipate receiving your prompt reply so that I may assure the community that the Army is working towards an acceptable resolution to this situation.

40902490

Thank you for your time and attention to this important matter.

Sincerely,


Richard Shelby

cc: The Honorable Geoffrey Prosch, Acting ASA, Installations and Environment
Mr. Raymond J. Fatz, DASA, Environment, Safety and Occupational Health