

EXHIBIT 10

BOOK 2 OF 3

CD- EXH 10

INDEX

AR 15-6 Report of Investigation

Table of Contents

Tab 11	(b)(6)	– Interview Data Sheet
Tab 12	(b)(6)	– Interview Data Sheet
		• Tab 12M – Government Purchase Credit Card Documentation
Tab 13	(b)(6)	– Interview Data Sheet and Sworn Statement
		• Tab 13N – Additional documents provided by Blake, Carol (DES)
Tab 14	(b)(6)	– Interview Data Sheet
Tab 15	(b)(6)	– Interview Data Sheet and Sworn Statement x 2
Tab 16	(b)(6)	– Interview Data Sheet and Sworn Statement
		• Tab 16O – Additional documents provided by Long, Veith (DPW)
Tab 17	(b)(6)	– Interview Data Sheet
Tab 18	(b)(6)	– Interview Data Sheet and Sworn Statement
		• Tab 18P – Additional documents provided by Koden, Robert (DPW)
Tab 19	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 20	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 21	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 22	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 23	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 24	(b)(6)	– Interview Data Sheet and Sworn Statement
		• Tab 24Q – Additional documents provided by Chambers, Jimmy (DPW)
Tab 25	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 26	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 27	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 28	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 29	(b)(6)	– Interview Data Sheet and Memorandum for Record
Tab 30	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 31	(b)(6)	– Interview Data Sheet and Sworn Statement
Tab 32	(b)(6)	– Interview Data Sheet and Sworn Statement

EXHIBIT 10

TAB 11

Book 2 of 3
CD - EXH 10

TAB 11

AR 15-6 Investigation

Investigating Officer: Greta M. Powell, GG-13/Chief, DPTMS Security Division
 Appointing Official: COL Cynthia A. Murphy, Garrison Commander

Interview Data Sheet

Name: (b)(6) Date: 4/30/2007
 Rank: GS-13 Time: 1000
 Organization: DPW, Environmental & Natural Resources Division Location: Bldg 2012, Rm 301
 Phone: 966-1760 Email: (b)(6)
 Union Representative: N/A Union POC Info: N/A

Sworn Statement <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Privacy Act Advisement <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Rights Waiver Certificate <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
--	---	--

Documents Requested:

1. Any federal standards governing WWTP and WTP operations
2. Any applicable state standards governing WWTP and WTP operations managed by a DoD installation

Provided copy of NPDES permit for WWTP

Interview Notes:

Refer to question/response format below. Informational interview to understand which federal and state standards apply to WWTP and WTP operations. Sworn Statement not required.

1. Interviewer Question: Are Fort Lewis WWTP operations subject to Federal Regulations, WA State Regulations, both or neither?

Interviewee Response: *Technically, no. NPDES permit issued by EPA tells you how to operate. Federal government regulates WWTP; WA State regulates WTP.*

2. Interviewer Question: Are WWTP and WTP employees required to hold WA State Certifications? Why or why not.

Interviewee Response: *Yes because there is no federal certification training. Use of WA state certifications is a way to benchmark employees.*

AR 15-6 Investigation

Investigating Officer: Greta M. Powell, GG-13/Chief, DPTMS Security Division
Appointing Official: COL Cynthia A. Murphy, Garrison Commander

3. Interviewer Question: Does the EPA issue operating permits for the WWTP and/or WTP? If yes, who has a copy of the permits? Can I obtain a copy of the permits?

Interviewee Response:

yes.

- Ⓐ WA State has regulatory responsibility/primacy for WTP.
- Ⓑ Federal government has regulatory responsibility/primacy for WWTP.
- Note → Federal government still seeks advice/counsel of WA State prior to issuing NPDES permit.
- Ⓒ Example of varying standards is requirement for pre-treatment program.
Federal government does not require but more restrictive WA State standards does require.

Permit No. WA-002195-4

United States Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, Washington 98101

**AUTHORIZATION TO DISCHARGE
UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act,
33 U.S.C. §1251 et seq., as amended by the Water Quality Act of 1987,
P.L. 100-4 (the "Act"),

**U.S. Department of Defense
Department of the Army
Fort Lewis Army Base
Fort Lewis Washington 98433-5000**

is authorized to discharge from the wastewater facility located at Fort Lewis to receiving waters
named Puget Sound (Solo Point) at:

Latitude 47° 8' 10"
Longitude 122° 38' 17"

in accordance with discharge point(s), effluent limitations, monitoring requirements and other
conditions set forth herein.

This permit shall become effective on February 1, 2004

This permit and the authorization to discharge shall expire at midnight, February 1, 2009

Signed this 30 day of December 2003

(b)(6)

Director, Office of Water, Region 10
U.S. Environmental Protection Agency

TABLE OF CONTENTS

I.	EFFLUENT LIMITATIONS	4
II.	MONITORING, RECORDING AND REPORTING REQUIREMENTS	5
	A. Monitoring Requirements	5
	B. Dilution Zone	6
	C. Toxicity Testing Requirements	6
	D. Infiltration and Inflow	10
	E. Representative Sampling	10
	F. Reporting of Monitoring Results	11
	G. Monitoring Procedure	11
	H. Additional Monitoring	11
	I. Records Contents	11
	J. Retention of Records	12
	K. Twenty-four Hour Notice of Noncompliance Reporting	12
	L. Other Noncompliance Reporting	13
	M. Changes in Discharge of Pollutants	13
III.	COMPLIANCE RESPONSIBILITIES	13
	A. Duty to Comply	13
	B. Penalties for Violations of Permit Conditions	14
	C. Need to Halt or Reduce Activity not a Defense	16
	D. Duty to Mitigate	16
	E. Proper Operation and Maintenance	16
	F. Removed Substances	16
	G. Bypass of Treatment Facilities	16
	H. Upset Conditions	17
	I. Toxic Pollutants	18
	J. Planned Changes	18
	K. Anticipated Noncompliance	18
	L. Compliance Schedules	18
IV.	GENERAL PROVISIONS	18
	A. Permit Actions	18
	B. Duty to Reapply	18
	C. Duty to Provide Information	18
	D. Other Information	19
	E. Signatory Requirements	19
	F. Availability of Reports	20
	G. Inspection and Entry	20
	H. Oil and Hazardous Substance Liability	20
	I. Property Rights	20

J.	Severability	20
K.	Transfers	21
L.	State Laws	21
M.	Reopener Clause	21

V.	DEFINITIONS	22
----	-------------------	----

I. EFFLUENT LIMITATIONS

A. During the effective period of this permit, the Permittee is authorized to discharge an average monthly flow of 7.6 mgd in accordance to the restrictions set forth herein. This permit does not authorize the discharge of any waste streams, including spills and other unintentional or non-routine discharges of pollutants, that the Permittee did not apply to discharge and that are not part of the normal operation of the facility as disclosed in the permit application, or any pollutants that are not ordinarily present in such waste streams, unless the Permittee receives prior authorization from EPA.

B. The Permittee must limit and monitor discharges as specified in Section C below. All figures represent maximum effluent limits unless otherwise indicated. The Permittee must comply with the following effluent limits at all times unless otherwise indicated regardless of the frequency of monitoring or reporting required by other provisions of this permit.

C. Effluent Limitations

1. Fort Lewis Water Pollution Control Plant (Discharge 001) During the period beginning on the effective date of this permit and lasting through the expiration date, discharges from the Fort Lewis Water Pollution Control Plant shall be limited and monitored by the permittee as specified below.

- a. The pH shall not be less than 6.0 nor greater than 8.5 standard units
- b. There shall be no discharge of floating solids, visible foam in other than trace amounts, or oily wastes which produce a sheen on the surface of the receiving water.
- c. The following limitations shall apply:

Effluent Characteristic	Units of Measure	Average Monthly	Average Weekly	Daily Maximum
5-day Biochemical Oxygen Demand* (BOD ₅)	mg/L	30	45	---
BOD ₅	lbs/day	1902	2852	---
Total Suspended Solids* (TSS)	mg/L	30	45	---
TSS	lbs/day	1902	2852	---
Fecal Coliform Bacteria**	col/100 ml	200	400	---
Total Residual Chlorine	mg/l	---	---	0.5

- * Monthly average BOD₅ and TSS effluent concentrations shall not exceed 30 mg/l or 20% of the influent concentrations, whichever is more stringent.
- ** Report as the geometric mean of all samples collected during the weekly and monthly reporting periods. The average monthly fecal coliform count must not exceed a geometric mean of 200 col./100 ml. The average weekly fecal coliform count must not exceed a geometric mean of 400 col./100 ml.

II. MONITORING, RECORDING AND REPORTING REQUIREMENTS

A. Monitoring Requirements

1. The Permittee shall monitor the final effluent as specified below, subject to the other monitoring and reporting requirements set forth in this permit.

Effluent Characteristics	Units of Measure	Sample Frequency	Sample Type
Total Flow	MGD	Continuous	Recording
Biochemical Oxygen Demand (5 day)*	mg/l	Daily Composite	24-Hour
Total Suspended Solids	mg/l	Daily Composite	24-Hour
Fecal Coliform Bacteria	Number/100 ml	Daily	Grab
Total Residual Chlorine	mg/l	Daily	Grab
pH	Standard Units	Daily	Grab
Total Copper	mg/l	Semi-Annual	Grab
Total Nickel	mg/l	Semi-Annual	Grab
Total Chromium	mg/l	Semi-Annual	Grab
Total Lead	mg/l	Semi-Annual	Grab
Total Mercury	mg/l	Semi-Annual	Grab
Total Molybdenum	mg/l	Semi-Annual	Grab
Total Selenium	mg/l	Semi-Annual	Grab
Total Zinc	mg/l	Semi-Annual	Grab
Total Nitrogen **	mg/l	Semi-Annual	Grab
Total Petroleum Hydrocarbon ***	mg/l	Semi-Annual	Grab

- * Representative daily influent and effluent monitoring for BOD₅ and TSS is required to demonstrate % removal efficiencies. Monthly average percent removal for BOD₅ and SS shall be reported on monthly discharge monitoring reports.
- ** Nitrogen analyses shall determine and report total Kjeldahl nitrogen, ammonia as N, nitrate and nitrite nitrogen.
- *** Two samples for total petroleum hydrocarbon (TPH) analyses are to be collected during the wet season (October - March) and analyzed using the Hydrocarbon Identification Method for Soil and Water. This analysis is required to determine if TPH is present in the effluent at levels of concern and only required during the first year of the permit. Results of this monitoring is to be submitted to EPA with the annual Inflow and Infiltration report (condition S.I.D.3.c.)

B. Dilution Zone

1. The boundaries of the dilution zone are defined as follows:
 - The limits in depth are one foot below the surface to one foot above the bottom.
 - The length, on either side of the diffuser, is 300 feet.
 - The width shall be 230 feet.
 - The zone of acute criteria exceedence shall be one tenth (1/10) the distance to the boundaries of the overall dilution zone.
2. Outfall evaluation

Within two years of permit issuance the permittee shall conduct an underwater evaluation of the submerged portion of the outfall pipe and diffusers to verify the structural integrity and functioning of this equipment. The permittee will provide a written report of the results of this evaluation to EPA with the next application for permit renewal. Immediate notification will be provided to EPA if the evaluation determines the outfall or diffuser structure is broken, leaking or not functioning properly.

C. Toxicity Testing Requirements

1. Acute Toxicity Testing Requirements

The Permittee shall test final effluent once in the last summer and once in the last winter prior to submission of the application for permit renewal. The two species listed below shall be used on each sample and the results submitted to the Department as a part of the permit renewal application process. The Permittee shall conduct acute toxicity testing on a series of five concentrations of effluent

and a control in order to be able to determine appropriate point estimates and an NOEC. The percent survival in 100% effluent shall also be reported.

Acute toxicity tests shall be conducted with the following species and protocols:

- a. Fathead minnow, *Pimephales promelas* (96 hour static-renewal test, method: EPA/600/4-90/027F)
- b. Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48 hour static test, method: EPA/600/4-90/027F).

2. Acute Toxicity Testing Procedures and Reporting Requirements

- a. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results.
- b. Testing shall be conducted on 24-hour composite effluent samples. Samples taken for toxicity testing shall be cooled to 4 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended.
- c. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.
- d. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A. and the Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.
- e. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.
- f. Effluent samples for whole effluent toxicity testing shall be collected just prior to the chlorination step in the treatment process.
- g. The Permittee may choose to conduct a full dilution series test during

compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC.

- h. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing and do not comply with the acute statistical power standard of 29% as defined in WAC 173-205-020 must be repeated on a fresh sample with an increased number of replicates to increase the power.

3. Chronic Toxicity Testing Requirements

The Permittee shall test final effluent once in the last summer and once in the last winter prior to submission of the application for permit renewal. All of the chronic toxicity tests listed below shall be conducted on each sample. The results of this chronic toxicity testing shall be submitted to the Department as a part of the permit renewal application process.

The Permittee shall conduct chronic toxicity testing on a series of at least five concentrations of effluent and a control in order to be able to determine appropriate point estimates and an NOEC. This series of dilutions shall include the acute critical effluent concentration (ACEC). The ACEC equals 0.57 % effluent. The Permittee shall compare the ACEC to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.

Chronic toxicity tests shall be conducted with the following species and the most recent version of the following protocols:

Saltwater Chronic Toxicity Test Species		Method
Topsmelt or Silverside minnow	<i>Atherinops affinis</i> or <i>Menidia beryllina</i>	EPA/600/R-95/136 or EPA/600/4-91/003
Mysid shrimp	<i>Holmesimysis costata</i> or <i>Mysidopsis bahia</i>	EPA/600/R-95/136 or EPA/600/4-91/003

The Permittee shall use the West Coast fish (topsmelt, *Atherinops affinis*) and mysid (*Holmesimysis costata*) for toxicity testing unless the lab cannot obtain a sufficient quantity of a West Coast species in good condition in which case the East Coast fish (silverside minnow, *Menidia beryllina*) or mysid (*Mysidopsis bahia*) may be substituted.

4. Chronic Toxicity Testing Procedures and Reporting Requirements

- a. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results.
- b. Testing shall be conducted on 24-hour composite effluent samples. Samples taken for toxicity testing shall be cooled to 4 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended.
- c. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.
- d. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A. and the Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.
- e. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.
- f. Effluent samples for whole effluent toxicity testing shall be collected just prior to the chlorination step in the treatment process.
- g. The Permittee may choose to conduct a full dilution series test in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC and the CCEC. The ACEC and CCEC may either substitute for the effluent concentration that is closest to it in the dilution series or be an extra effluent concentration.

- h. All whole effluent toxicity tests that involve hypothesis testing and do not comply with the chronic statistical power standard of 39% as defined in WAC 173-205-020 must be repeated on a fresh sample with an increased number of replicates to increase the power.

D. Infiltration and Inflow

1. Infiltration and Inflow Evaluation

- a. The Permittee shall conduct an infiltration and inflow evaluation. Plant monitoring records may be used to assess measurable infiltration and inflow.
- b. A report shall be prepared which summarizes any measurable infiltration and inflow. If infiltration and inflow have increased by more than 15 percent from baseline flows (established from average influent flow observed during equivalent rainfall events during the previous five years), the report shall contain a plan and a schedule for: (1) locating the sources of infiltration and inflow; and (2) correcting the problem.
- c. The report shall be submitted by June 15 annually for the I/I related control activities conducted since the previous annual report.

E. Representative Sampling (Routine and Non-routine Discharges)

The Permittee shall collect all effluent samples from the effluent stream prior to discharge into the receiving waters. Samples and measurements shall be representative of the volume and nature of the monitored discharge.

The Permittee shall collect additional samples at the appropriate sampling points and analyze them for the parameters limited in Part I. Table 1 of this permit, whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a routine sample. The Permittee shall also conduct monitoring sufficient to characterize the nature and quantity of the pollutants discharged.

The Permittee shall collect such additional samples as soon as possible after the spill or discharge. The samples shall be analyzed in accordance with paragraph G., below. In the event of an anticipated bypass, as defined in Part V. of this permit, the Permittee shall collect and analyze additional samples as soon as the bypassed effluent reaches the outfall. The Permittee shall report all additional monitoring in accordance with paragraph H., below.

- F. Reporting of Monitoring Results.** The Permittee shall summarize monitoring results each month on the Discharge Monitoring Report (DMR) form (EPA No. 3320-1). The Permittee shall submit reports monthly, postmarked by the 10th day of the following month. The Permittee shall sign and certify all DMRs, and all other reports, in accordance with the requirements of Part IV. of this permit ("Signatory Requirements"). The Permittee shall submit the legible originals of these documents to the Director, Office of Water at:

United States Environmental Protection Agency
Region 10
1200 Sixth Avenue, OW-133
Seattle, Washington 98101
Attn: PCS Data Entry Team

- G. Monitoring Procedures.** Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- H. Additional Monitoring by Permittee** If the Permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the Permittee shall include the results of this monitoring in the calculation and reporting of the data submitted in the DMR. The Permittee shall indicate on the DMR whenever it has performed additional monitoring, and shall explain why it performed such monitoring.

Upon request by the Regional Administrator, the Permittee shall submit results of any other sampling, regardless of the test method used.

- I. Records Contents** All effluent monitoring records shall bear the hand-written signature of the person who prepared them. In addition, all records of monitoring information shall include:
1. the date, exact place, and time of sampling or measurements;
 2. the names of the individual(s) who performed the sampling or measurements;
 3. the date(s) analyses were performed;
 4. the names of the individual(s) who performed the analyses;
 5. the analytical techniques or methods used; and

6. the results of such analyses.

J. Retention of Records The Permittee shall retain the a copy of this NPDES permit, and records of all monitoring information, including, but not limited to, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. This period may be extended by request of the Regional Administrator.

K. Twenty-four Hour Notice of Noncompliance Reporting

1. The Permittee shall report the following occurrences of noncompliance by telephone within 24 hours from the time the Permittee becomes aware of the circumstances:
 - a. any noncompliance that may endanger health or the environment;
 - b. any unanticipated bypass that results in or contributes to an exceedence of any effluent limitation in the permit (See Part III.G., "Bypass of Treatment Facilities");
 - c. any upset that results in or contributes to an exceedence of any effluent limitation in the permit (See Part III.H., "Upset Conditions"); or
 - d. any violation of a maximum daily discharge limitation for any of the pollutants listed in the permit.
 - e. any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limitation in the permit.
2. The Permittee shall also provide a written submission within five days of the time that the Permittee becomes aware of any event required to be reported under subpart 1, above. The written submission shall contain:
 - a. a description of the noncompliance and its cause;
 - b. the period of noncompliance, including exact dates and times;
 - c. the estimated time noncompliance is expected to continue if it has not been corrected; and
 - d. steps taken or planned to reduce, eliminate, and prevent reoccurrence of the

noncompliance.

- e. if the non compliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.
 3. The Regional Administrator may, at his or her sole discretion, waive the written report on a case-by-case basis if the oral report has been received within 24 hours within 24 hours by the NPDES Compliance Hotline in Seattle, Washington, by telephone, (206) 553-1846.
 4. Reports shall be submitted to the addresses in Part II.F. ("Reporting of Monitoring Results").
 5. Unauthorized discharges such as collection system overflows, plant bypasses, or failure of the disinfection system, shall be reported immediately to the Department of Health, Shellfish Protection Program. The 24-hour number for the Department of Health is (360) 753-5992
- L. Other Noncompliance Reporting** The Permittee shall report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for Part II.H. are submitted. The reports shall contain the information listed in Part II.K. of this permit.
- M. Changes in Discharge of Pollutants** The Permittee shall notify the Regional Administrator as soon as it knows of, or has reason to believe:
1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any pollutant that is not limited in the permit, if that discharge may reasonably be expected to exceed any of the following "notification levels":
 - a. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR §122.21(g)(7); or
 - b. The level established by the Regional Administrator in accordance with 40 CFR §122.44(f).

III. COMPLIANCE RESPONSIBILITIES

A. Duty to Comply

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit

termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The Permittee shall give reasonable advance notice to the Regional Administrator of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

B. Penalties for Violations of Permit Conditions

1. **Civil and Administrative Penalties.** Pursuant to 40 CFR 19 and the Act, any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$27,500 per day for each violation).
2. **Administrative Penalties.** Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$11,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$27,500). Pursuant to 40 CFR 19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$11,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$137,500).
3. **Criminal Penalties**
 - a. **Negligent Violations.** The Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or

subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

- b. **Knowing Violations.** Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.
- c. **Knowing Endangerment.** Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.
- d. **False Statements.** The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

C. Need to Halt or Reduce Activity not a Defense It shall not be a defense for the Permittee

in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this permit.

- D. Duty to Mitigate** The Permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.
- E. Proper Operation and Maintenance** The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the Permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- F. Removed Substances** Solids, biosolids, filter backwash, or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.
- G. Bypass of Treatment Facilities**
1. **Bypass not exceeding limitations.** The Permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2 and 3 of this Part.
 2. **Notice.**
 - a. **Anticipated bypass.** If the Permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.
 - b. **Unanticipated bypass.** The Permittee shall submit notice of an unanticipated bypass as required under Part II.K. ("Twenty-four Hour Notice of Noncompliance Reporting").
 3. **Prohibition of bypass.**
 - a. **Bypass is prohibited, and the Regional Administrator may take enforcement action against the Permittee for a bypass, unless:**
 - 1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

- 2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment shall have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
 - 3) The Permittee submitted notices as required under paragraph 2 of this Part.
- b. The Regional Administrator may approve an anticipated bypass, after considering its adverse effects, if the Regional Administrator determines that it will meet the three conditions listed above in paragraph 3.a. of this Part.

H. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the Permittee meets the requirements of paragraph 2 of this Part. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
2. Conditions necessary for a demonstration of upset. To establish the affirmative defense of upset the Permittee must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the Permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The Permittee submitted notice of the upset as required under Part II.K. Twenty-four Hour Notice of Noncompliance Reporting; and
 - d. The Permittee complied with any remedial measures required under Part III.D. Duty to Mitigate.
3. Burden of proof. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

I. Toxic Pollutants The Permittee shall comply with effluent standards or prohibitions

established under Section 307(a) of the Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Act within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

J. Planned Changes The Permittee shall give notice to the Regional Administrator as soon as possible of any planned physical alterations or additions to the permitted facility whenever:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as determined in 40 CFR §122.29(b); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements under Part II.K.

K. Anticipated Noncompliance The Permittee shall also give advance notice to the Regional Administrator of any planned changes in the permitted facility or activity that may result in noncompliance with this permit.

L. Compliance Schedules Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any Compliance Schedule of the permit shall be submitted no later than 10 days following each schedule date.

IV. GENERAL PROVISIONS

A. Permit Actions This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 122.62, 122.64, or 122.5. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

B. Duty to Reapply If the Permittee intends to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit.

C. Duty to Provide Information The Permittee shall furnish to the Regional Administrator, within the time specified in the request, any information that the Regional Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Regional Administrator, upon request, copies of records required to be

kept by this permit.

- D. Other Information** When the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or that it submitted incorrect information in a permit application or any report to the Regional Administrator, it shall promptly submit the omitted facts or corrected information.
- E. Signatory Requirements** All applications, reports or information submitted to the Regional Administrator shall be signed and certified.
1. All permit applications shall be signed as follows:
 - a. For a municipality, state, federal, Indian tribe or other public agency: by either a principal executive officer or ranking elected official.
 2. All reports required by the permit and other information requested by the Regional Administrator shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to the Regional Administrator, and
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the facility.
 3. Changes to authorization. If an authorization under paragraph 2., above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph 2 must be submitted to the Regional Administrator prior to or together with any reports, information, or applications to be signed by an authorized representative.
 4. Certification. Any person signing a document under this Part shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted

is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- F. Availability of Reports** In accordance with 40 CFR 2, information submitted to EPA pursuant to this permit may be claimed as confidential by the permittee. In accordance with the Act, permit applications, permits and effluent data are not considered confidential. Any confidentiality claim must be asserted at the time of submission by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice to the permittee. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR 2, Subpart B (Public Information) and 41 Fed. Reg. 36902 through 36924 (September 1, 1976), as amended.
- G. Inspection and Entry** The Permittee shall allow EPA or their authorized representatives (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by law, to:
1. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.
- H. Oil and Hazardous Substance Liability** Nothing in this permit shall be construed to preclude any legal action, or relieve the Permittee from any responsibilities, liabilities, or penalties to that the Permittee is or may be subject, under Section 311 of the Act.
- I. Property Rights** The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
- J. Severability** The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the

application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

K. Transfers The Permittee may request that this permit be automatically transferred to a new Permittee if:

1. The current Permittee notifies the Regional Administrator at least 30 days in advance of the proposed transfer date;
2. The notice includes a written agreement between the existing and new Permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
3. The Regional Administrator does not notify the existing Permittee and the proposed new Permittee of his or her intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph 2 above.

L. State Laws Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

M. Reopener Clause

1. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Act, as amended, if the effluent standard, limitation, or requirement so issued or approved:
 - a. Contains different conditions or is otherwise more stringent than any condition in the permit; or
 - b. Controls any pollutant or disposal method not addressed in the permit. The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.
2. This permit may be reopened to add or adjust any effluent limitations if future water quality studies, waste load allocation determinations, or changes in water quality standards show the need for different requirements, subject to the provisions of sections 303(d)(4) and 402(o) of the Act.

V. DEFINITIONS

1. "Average monthly discharge limitation" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
2. "Average weekly discharge limitation" means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week.
3. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
4. "CWA" means the Clean Water Act (formerly referred to as either the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972), Pub. L. 92-500, as amended by Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, Pub. L. 97-117, and Pub. L. 100-4.
5. "Daily Discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.
6. "Daily Maximum" ("Daily Max.") is the maximum value allowable in any single sample or instantaneous measurement.
7. "Daily maximum discharge limitation" means the highest allowable "daily discharge."
8. "Director" means Director of the Office of Water, United States Environmental Protection Agency, Region 10.
9. "EPA" means the United States Environmental Protection Agency.
10. A "grab" sample, for monitoring requirements, is a single "dip and take" sample or measurement taken at a specific time or over as short a period of time at a representative point anywhere in wastewater treatment or biosolids land application processes, as is feasible.
11. "Monthly Average" is the arithmetic mean of all measurements taken during the month except that a geometric mean will be used for fecal coliform analyses.

12. "Not Permitted" means not approved under this permit. It usually refers to either a practice for which the permittee did not apply to utilize, or has not prepared procedures complying with the federal standards or requirements of others.
13. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
14. "Treatment Works" are either Federally owned, publicly owned, or privately owned devices or systems used to treat (including recycling and reclamation) either cosmetic sewage or a combination of cosmetic sewage and industrial waste of a liquid nature.
15. A "24-hour composite" sample shall mean a flow-proportioned mixture of not less than eight discrete aliquots. Each aliquot shall be a grab sample of not less than 100 ml and shall be collected and stored in accordance with procedures prescribed in the most recent edition of *Standard Methods for the Examination of Water and Wastewater*.
16. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

EXHIBIT 10

TAB 12

AR 15-6 Investigation

Investigating Officer: Greta M. Powell, GG-13/Chief, DPTMS Security Division
 Appointing Official: COL Cynthia A. Murphy, Garrison Commander

Interview Data Sheet

Name:	(b)(6)	Date:	4/30/2007
Rank:	GS-12	Time:	1300
Organization:	WCPOC, Fort Huachuca	Location:	(b)(6)
Phone:	(b)(6)	Email:	(b)(6)
Union Representative:	N/A	Union POC Info:	N/A

Sworn Statement	Privacy Act Advisement	Rights Waiver Certificate
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Documents Requested:

1. WWTP and WTP Budget Spend Plan for FY2006 *Provided*
2. WWTP and WTP Budget Spend Plan for FY2007 *Provided*
3. List of Government Purchase Credit Card (GPCC) holders and approving officials within the WWTP and the WTP *Provided*
4. GPCC statements for FY2006 and FY2007 for all WWTP and WTP GPCC holders (i.e. chronology of all GPCC purchases for FY2006 and FY2007 for any WWTP or WTP GPCC holders *Provided*

Note: (b)(6) *attended interview w/o invitation from investigating officer.*

Interview Notes:

Refer to question/response format below. Informational interview to understand WWTP and WTP budget planning and execution. Sworn Statement not required. (Requirement - Distribution - Execution flow).

1. Interviewer Question: What non-pay funding requirements were specified by management for WWTP/WTP operations for FY2006? FY2007?

Interviewee Response: *Management does not specify requirements. It is a top driven process. As non-pay funding is required, management submits:*

- Service Order if under \$2K or 40 man hours
- Individual job order (Contract) if over \$2K or 40 man hours
- GPCC request if supplies/parts.
- Routine service done using Preventive Maintenance Standing Operating Orders (SOO)

2. Interviewer Question: What was the non-pay funding distribution for WWTP/WTP operations for FY2006? FY2007?

Interviewee Response: *Accounts were/were not broken out this way. There isn't a sub allocation of DPW accounts to WWTP/WTP/Boiler plant. Management does not receive a funding distribution letter to manage/execute.*

AR 15-6 Investigation

Investigating Officer: Greta M. Powell, GG-13/Chief, DPTMS Security Division
Appointing Official: COL Cynthia A. Murphy, Garrison Commander

3. Interviewer Question: Were any UFR's submitted for WWTP/WTP operations in FY2006 or FY2007? If yes, were the UFR's funded?

Interviewee Response:

No because projects are determined and managed at a higher level than first line supervisor.

4. Which WWTP/WTP employees are GPCC holders? Who was the approving official for these GPCC holders in FY2006/FY2007?

Interviewee Response:

FY 2006 - (b)(6) (departed in March 2006), AO - (b)(6) (Boiler Plant)
FY 2007 - (b)(6), AO - (b)(6) (Boiler Plant)

When (b)(6) left (previous WWTP Supv), (b)(6) was the alternate approving official and therefore took over AO duties until a new supervisor was hired. (Note: Seems odd that Supervisor of 2 years, (b)(6), did not take over AO duties). (b)(6) processes GPCC purchases for WWTP & WTP.

WWTP COSTS

	actlabcosttotal	actmatcosttotal	actsercosttotal	acttoolcosttotal	Total
FY06 Total	600,581.86	111,738.56	21,094.65	6,108.85	739,523.92
YTD FY07 Total	287,944.62	4,946.98	-	1,206.37	294,097.97
Grand Total	888,526.48	116,685.54	21,094.65	7,315.22	1,033,621.89
FY06 PM	21985.94			88.2	22074.14
FY06 SOO	578595.92	111738.56	21094.65	6020.65	717449.78
975 COMP PMs					
YTD FY07 PM	23129.66			767.24	23896.9
YTD FY07 SOO	264814.96	4946.98		439.13	270201.07
362 COMP PMs					

Utilities (J) Account- FY 07 Budget

AFP		20,665.5								
Balance (AFP-Req)		0.0 negative=shortage								
EOR	Description	FY 02 Actual	FY 03 Actual	FY 04 Actual	FY 05 Actual	FY 06 Actual	FY 07 Req	FY 07 Funded	FY 07 Actual	Notes
Contract	Utilities - California (MIPR)	85.0	34.6	34.6	38.3	39.6	45.5	45.5	45.5	
Contract	Utilities - McChord		1.4	4.1	5.8	5.8	12.3	12.3	4.3	
Contract	Chemical Latrines	247.3	272.6	277.1	334.9	365.4	475.6	475.6	210.2	
Contract	Boiler Emission Test					5.6	18.8	18.8	18.8	
Contract	GSA Contractors			57.9	9.0	43.7	82.1	82.1	82.1	
Contract	Misc Services/Repairs	10.8	6.1	53.0	14.2	19.1	19.7	19.6	0.3	
Contract	Haz Materials				103.2	133.0	137.0	137.0	75.0	
Contract	One Time Contracts	5.7	9.6	6.4					2.0	arbitrator fees
Contract Total		348.8	324.3	433.1	505.2	612.2	791.0	790.8	438.2	
Fuel Oil	Propane						420.0	420.0		
Fuel Oil	Heating Oil	741.2	634.4	941.0	1342.5	807.1	1607.3	1607.3	1176.3	
Fuel Oil Total		741.2	634.4	941.0	1342.5	807.1	2027.3	2027.3	1176.3	
In House	In House Equipment Cost	16.3	22.8	18.3	20.4	18.0	20.0	20.0	7.2	
In House Total		16.3	22.8	18.3	20.4	18.0	20.0	20.0	7.2	
Util	Payment to ESPC		239.4	427.4	441.1	455.2	469.7	469.7	116.8	
Util	Elec/Gas/Water	10,863.6	8,046.0	10131.6	11618.8	12102.2	14891.5	14891.5	8639.2	
Util Total		10,863.6	8,285.4	10559.0	12059.9	12557.4	15361.2	15361.2	8756.0	
Sup/Equip	Supplies to Operate	195.9	176.6	100.5	170.0	220.0	265.0	265.0	3.4	
Sup/Equip Total		195.9	176.6	100.5	170.0	220.0	265.0	265.0	3.4	
Penalty							0.1	0.1		
Grand Total		12,165.8	9,443.5	12,051.9	14,098.0	14,214.7	18,464.5	18,464.5	10,381.2	
Pay		939.9	788.5	1329.3	1718.6	1712.2	2201.0	2201.0	918.5	

Utilities (J) Account- FY 06 Budget

AFP		15,926.4					
Balance (AFP-Req)		0.0 negative=shortage					
		FY 02	FY 03	FY 04	FY 05	FY 06	
EOR	Description	Actual	Actual	Actual	Actual	FY 06 Req	Actual Notes
Contract	Utilities - California (MIPR)	85.0	34.6	34.6	38.3	39.6	39.6
Contract	Utilities - McChord (MIPR)		1.4	4.1	5.8	5.3	5.3
Contract	Chemical Latrines	247.3	272.6	277.1	334.9	365.4	365.4
Contract	Emission Testing Boilers					5.6	5.6
Contract	GSA Contractors			57.9	9.0	43.7	43.7
Contract	Misc Services/Repairs	10.8	6.1	53.0	14.2	19.1	19.1
Contract	Haz Materials				103.2	133.0	133.0
Contract	One Time Contracts	5.7	9.6	6.4			
Contract Total		348.8	324.3	433.1	505.2	611.7	611.7
Fuel Oil	Heating Oil/Propane	741.2	634.4	941.0	1342.5	807.1	807.1
Fuel Oil Total		741.2	634.4	941.0	1342.5	807.1	807.1
In House	In House Equipment Cost	16.3	22.8	18.3	20.4	18.0	18.0
In House Total		16.3	22.8	18.3	20.4	18.0	18.0
Rent/Util	Payment to ESPC		239.4	427.4	441.1	455.2	455.2
Rent/Util	Elec/Gas/Water	10,863.6	8,046.0	10131.6	11618.8	12102.2	12102.2 Oct and Nov bills sent as of 31 Jan, Dec bills sent in Feb - on track
Rent/Util Total		10,863.6	8,285.4	10559.0	12059.9	12557.4	12557.4
Sup/Equip	Supplies to Operate	195.9	176.6	100.5	170.0	220.0	220.0
Sup/Equip Total		195.9	176.6	100.5	170.0	220.0	220.0
Penalty							
Grand Total		12,165.8	9,443.5	12,051.9	14,098.0	14,214.2	14,214.2
Pay		939.9	788.5	1329.3	1718.6	1712.2	1712.2

FY 07 Financed Contract Project List

	PI	SP	AO	Description	Facility	Target Obligation Date	Actual Obligation Date	Initial Req	COM	OBL	Remaining Req	Budget Doc	Status	Notes	PH	
	120	UM	53MDELE00009A000	Rehabilitate/Upgrade of Primary Electrical Distribution System-YTC	YTC/AR	Dec-06	15-Dec-06	271,273.91	200,000.00	200,000.00	171,273.62	7C #001			May	
59	K	140	53MDELE00007A000	REPAIR TWO LEAKING WATER STORAGE RESERVOIRS	LEWIS	Dec-06	15-Dec-06	600,000.00	600,000.00	600,000.00	-	7C #006			CO	
127	K	170	53MDELE00002A000	REPLACE SEQUOIA CHEW SUBSTATION METER. SCOPE OF WORK FROM DELM0003-61 PER COMMITTEE: REPLACE ELECTROMECHANICAL RELAYS AT SEQUOIA CHEW SUBSTATION replace 24 relays with digital relays, whose current range and tripping curves coordinate better with each other. This will allow for better meter	7957	Mar-07	26-Mar-07	162,500.00	162,500.00	162,500.00	-	7F #000	Aut Jun		Delaware	
128	K	170	53MDELE00003A000	REPLACE SUBSTATION POWER METERS 7957/8996/9045 Replace 10 power meters at Army Central Substation 4 at IMAC substation and 7 at Sequoia Chew substation with more modern meters with demand registers, capable of being remotely read and similar to 5 new met	LEWIS	Mar-07	28-Mar-07	45,000.00	45,000.00	45,000.00	-	7F #000	Aut Jun		Delaware	
129	K	170	53MDELE00005A000	Testing and repairs of Madigan, Army Central, and South Substations	LEWIS	Mar-07	28-Mar-07	85,000.00	85,000.00	85,000.00	-	7F #000			Delaware	
130	L	170	53MDELE0001075A000	ASPHALT AROUND PCS FACILITY & OLD RECYCLING FACILITY AREA AT LANDFILL #5 #5 Conduct an asphalt surface around 50,718 sq ft of the PCS and old recycling bldg at landfill #5 with runoff graded to the sanitary sewer drain or an on water separator. Build a loading dock that would be at least a minimum of 20' in width at the north	LEWIS	Mar-07	28-Mar-07	298,150.00	298,150.00	298,150.00	-	7F #004			Egbe	
36	L	120	53MDELE000024A000	Install new electric meter at DPMU facilities	LEWIS	Feb-07	9-Feb-07	11,177.00	11,177.00	11,177.00	-	AK17	Approved		Mar	
47	L	190	53MDELE000087A000	Install emergency generator at Eagle View III station	WELLS	Mar-07	7-Mar-07	44,728.90	44,728.90	44,728.90	-	HC29	Approved		Mar	
75	L	190	53MDELE000079A000	Install emergency generator at central fuel station	WELLS	Mar-07	7-Mar-07	80,488.53	80,488.53	80,488.53	-	HC20	Approved		Mar	
171	K	108	53MDELE000047A000	CLEAN SEQUOIA CHEW SPRING HOUSE	7956	May-07		36,000.00			36,000.00	AF04			Wa	
46	L	777	53MDELE00000A000	PERFORM UTILITY UPDATES IN TOWN CENTER AREAS SUPPORT SCO FAMILY HHSNG CONSTRUCTION	LEWIS	Sep-07		750,000.00			750,000.00				CO	
48	K	120	53MDELE00000A000	ELF LINE MAIN SEWER LINE. Right-of-way cover the running from Log Center through Camp Murray. Correct heavy lifelines. Cost out and work accomplishment	LEWIS	Apr-07		2,000,000.00			2,000,000.00		Aut Jul	Send MPR		Reuse
51	L	120	53MDELE00000A000	Construct a storage sludge facility to allow collecting of sludge	7517	Aug-07		75,000.00			75,000.00					Reuse
53	L	140	53MDELE00004A000	REPLACE 300 GAL UNDERGROUND FUEL STORAGE TANK WITH AN ABOVE GROUND 500-1000 GALLON TANK. CURRENT TANK IS NOT LARGE ENOUGH TO HANDLE THE UPGRADE TO THE GENERATOR	2003	Apr-07		30,000.00			30,000.00					Gale
65	L	190	53MDELE000027A000	REACQUIRE DRAINAGE TO SANITARY SEWER	3106	Apr-07		30,000.00			30,000.00			CO#E7		Egbe
90	L	190	53MDELE00004A000	INSTALL TELEMETRYING WELL 2 NEEDS TELEMETRYING. NEED TO BE INSTALLED SO AS TO READ THE OPERATION OF WALL, BACK AT PLANT EST #10K THIS PROJECT WILL BE ADDED TO THE PRIVATIZATION CONTRACT	1540	Apr-07		15,000.00			15,000.00					Mar
125	K	170	53MDELE000047A000	Pressure to Madigan Substation	9545			630,000.00			630,000.00					
190	K	140	53MDELE000028A000	Repair concrete walls in digester	Lewis	Apr-07		144,000.00			144,000.00			Digesters found during structural inspection after clearing	Reuse	
190	K	120	53MDELE0000225A000	REPAIR 24" MAIN SEWER LINE FROM NORTH FORT LEWIS REPAIR 24" MAIN SEWER LINE FROM NORTH FORT LEWIS Using cure-in-place technology-re-line the 24" main sewer line from 32nd Divisor Dr to the 39" main line on Salt Point Rd. Rehabilitate all manholes using an epoxy resin coating. This project is later	SEWR2	Jun-07		1,200,000.00			1,200,000.00		Aut Jul	Send MPR		
191	K	140	53MDELE000027A000	REPAIR FIVE LEAKING WATER STORAGE RESERVOIRS	LEWIS	Mar-07		1,500,000.00			1,500,000.00				CO	

FY 06 Financed Contract Project List

Pr	SP	LO	Description	Facility	Actual Obligation Date	Initial Req	COM	OBL	Remaining Req	Budget Doc	Status	Notes	PM	
K	140	LN	53465DEJ000274.000	REPAIR LEAKS IN 4 CONCRETE RESERVOIRS, 2 OLD MILLER HILL AND 2 AT DONOVAN HILL. DEPENDING ON CONDITION CONCRETE MAY HAVE TO BE REMOVED AND REPLACED. EPOXY CRACK REPAIR AND/OR FIBERGLASS BANDING SHOULD BE USED (BANDING WAS USED IN THE PAST ON THE DAVIS HILL RESERVOIR. NEEDS TO BE PERFORMED ONE RESERVOIR AT A TIME. CONDITION WILL CONTINUE TO DETERIORATE IF NOT CORRECT POTENTIALLY RESULTING IN LOSS OF THE RESERVOIR.	LEWIS	28-Nov-05	1,057,999.70	1,057,999.70	1,057,999.70	-	6B K009	Awarded		Eleno
K	140	LN	53465DEJ000254.000	INSPECT 14-PORT WASTEWATER EFFLUENT DISCHARGE DIFFUSER. DIFFUSER IS 150' LONG, LOCATED APPROX 300' FROM SHIP AND 53' DEEP FROM MEAN WATER LEVEL OF PUGET SOUND. REQUIRED BY NPDES PERMIT	07960	29-Nov-05	5,720.12	5,720.12	5,720.12	-	6B K310	Awarded	executed by Navy divers rather than private	Hull
K	120	LN	53465DEJ000075.000	ISRA REPAIR PRIMARY CLARIFIERS AT WWTP	07504	12-May-06	19,610.87	19,610.87	19,610.87	-	6H K038	To CCE		Morgan
K	120	LN	53465DEJ000075.000	REPAIR PRIMARY CLARIFIERS AT WWTP Coat all concrete surfaces with a sealant to prevent further corrosion of exposed rebar and further failure of concrete. Based on the design analysis the concrete clarifiers can be expected to fail between 2006 - 2011 if corrosion is allowed to continue.	07504	7-Jul-06	2,063,097.77	2,063,097.77	2,063,097.77	-	6H K038	Awarded	Award next week	Morgan
K	120	LN	53465DEJ000075.000	REPAIR PRIMARY CLARIFIERS AT WWTP Coat all concrete surfaces with a sealant to prevent further corrosion of exposed rebar and further failure of concrete. Based on the design analysis the concrete clarifiers can be expected to fail between 2006 - 2011 if corrosion is allowed to continue.	07504	7-Jul-06	239,108.48	239,108.48	239,108.48	-	6H K038	Awarded	Award next week	Morgan
K	120	LN	53465DEJ000005.000	Replace metal roof structure and clean fiberglass roof panels for the drying beds at the WWTP. The structure shows severe corrosion in places and some bracing components has failed. Roof panels so dirty very little light penetrates.	7517	28-Jul-06	883,613.26	883,613.26	883,613.26	-	6K K045	Awarded	16 Mar 07 - requesting FY 06 funds for a mod. new cost \$961450. Added scope from DEJ000264J	Ramsey, C.
K	120	LN	53465DEJ000115.000	Remove trees growing over sewer line on log center (between 9500 and 9505). Clear roots from within sewer line. Causes flooding with even small rainfall	LEWIS	16-Nov-05	4,700.00	4,700.00	4,700.00	-	N107	Awarded		Biers
K	120	LN	53465DEJ000008.000	REPAIR RIPRAP AT OUTFALL 3 CONNECTING SPILLWAY BETWEEN SETTLING POND & INFILTRATION POND	LEWIS	16-Nov-05	9,985.00	9,985.00	9,985.00	-	NK12	Awarded		Weeks
K	140	LN	53465DEJ000094.000	REMOVE AND MECHANICALLY DENATURE DIGESTER GRIT TO AT ABOUT 20% SOLIDS FOR STORAGE IN DRYING BED. PRESSURE WASH INSIDE OF DIGESTER FOR INSPECTION BY PW STAFF.	07513	4-Apr-06	39,106.00	39,106.00	39,106.00	-	NK13	Awarded	contract terminated for default. New contract to clean and repair digester	Ramsey, C.
K	100	LN	53465DEJ000025.000	Rebuild #8 station	8300	8-Feb-06	118,648.00	118,648.00	118,648.00	-	NK48	Awarded	preparing docs for award	Ramsey, C.
K	140	LN	53465DEJ000275.000	CONNECT SLUDGE THICKENER EFFLUENT LINE TO EXISTING 10" DRAIN TO HEADWORKS Excavate thickener discharge line, cut and cap. Install 6" to 10" T" and connect 8" thickener discharge line directly to the 10" drain line to the headworks. This is needed to prevent backups of the sludge thickener which happens under certain hydraulic conditions during normal operations. The existing drainage system creates too much headloss during these conditions. Est. \$15k	07502	16-Mar-06	13,930.00	13,930.00	13,930.00	-	NK50	Awarded		Ramsey, C.
K	140	LN	53465DEJ000274.000	R/R Water Reservoir - Ross Hill 1	7201	23-Sep-06	517,161.70	517,161.70	517,161.70	-	6M K060	Awarded	proposal due 22 Sep	Hull
K	140	LN	53465DEJ000274.000	R/R Water Reservoir - Ross Hill - 2	7202	23-Sep-06	516,148.05	516,148.05	516,148.05	-	6M K061	Awarded	proposal due 22 Sep	Hull
K	120	LN	53465DEJ000186.000	Repair/replace pumps at range wells	YAKIMA	30-Sep-06	58,714.55	58,714.55	58,714.55	-	6M K063	Awarded	Notifying	Morgan

(b)(6)

MAXIMO PURCHASE ORDER SEARCH

File Edit View Favorites Tools Help

Back x Search Favorites

http://lewis4pw016:7003/maximo/jsp/app/po/search.jsp

Site: LEWIS

Current Query: Select Action

Search PO PO Lines Attached Documents

Results

Files

Displaying 1 - 20 of 49

7500 Office Supplies	AAPPR	C0001711	299.30
7600 Office Supplies	AAPPR	C0001711	1,523.79
7500 Lab Supplies	AAPPR	C0000000000002806	1,515.31
7500 Lab Supplies	AAPPR	C0000000000002808	1,336.07
7500 Safety Gear	AAPPR	D0001034	116.99
7500 Safety Shoes	AAPPR	D0001043	193.44
7500 Misc. Lab Supplies	AAPPR	C0001124	699.35
7500 Autoclave Repair	AAPPR	C0001982	263.32
7500 Scissor Lift	AAPPR	C0001506	202.29
7500 Impac card rebate	AAPPR	C0000000000002591	-3.85
7500 Office Supplies	AAPPR	C0001305	548.70
7500 Lab Supplies	AAPPR	D0001074	1,361.26
7500 Mettler Balance	AAPPR	METTLER	154.00
7500 ERA DMRGA 26	CLOSE	C0001999	529.36
7500 rental of scissor lift	AAPPR	C0001506	664.88
7500 misc. lab equipment	AAPPR	D0001074	1,394.85
7500 Impac Card Rebate	AAPPR	C0000000000002591	-64.52
7500 Impac Card Rebate	AAPPR	C0000000000002591	-12.13
7500 Impac Card Rebate	AAPPR	C0000000000002591	-5.09
7500 Impac Card Rebate	AAPPR	C0000000000002591	-1.43

Select Records

Applet linkApplet started

Local intranet

(b)(6)

MAXIMO Purchase Order Search - maximo.internat.com

File Edit View Favorites Tools Help

Back X Search Favorites

http://max1pw016:7003/maximo/jsp/app/po/search.jsp

LEWIS

Current Query: Select Action

Search PO PO Lines Attached Documents

Results

Displaying 21 - 40 of 40

Item	Description	Unit	Code	Amount
7500	Lab Test	CLOSE	C0001999	156.14
7500	Results for lab test	CLOSE	C0001767	270.00
7500	office supplies	CLOSE	C0001305	466.69
7500	lab supplies	CLOSE	C0000000000002806	2,393.75
7500	lab supplies misc.	CLOSE	C0001824	1,624.30
7500	fire hyd & acc kit W/S	CLOSE	C0002242	1,514.00
7500	Impoc Card Rebate	CLOSE	C0000000000002591	-52.95
7500	misc. lab supplies	CLOSE	C0000000000002806	1,728.26
SAFETY BOOTS FOR DEH642007S009		APPR	00001043	608.25
SAFETY BOOTS FOR DEH646007S009		APPR	00001043	709.27
OFFICE SUPPLIES FOR DEH648007S008		APPR	C00000000000003283	1,297.26
OFFICE SUPPLIES FOR DEH646007S008		APPR	C00000000000003283	1,062.71
OFFICE SUPPLIES FOR DEH645007S008		APPR	C00000000000003283	2,371.88
OFFICE SUPPLIES FOR DEH645007S008		APPR	C00000000000003283	888.74
OFFICE SUPPLIES FOR DEH645007S008		APPR	\$30	2,317.69
V-BELTS FOR DEH646007S801		APPR	C0000000000003983	283.55
SAFETY EQUIPMENT FOR DEH642007S009		APPR	00001074	1,564.85
SAFETY EQUIPMENT FOR DEH642007S009		APPR	C0001476	296.96
SAFETY EQUIPMENT FOR DEH642007S009		APPR	C0001476	584.80
TIMERS FOR DEH642007S808		APPR	C0000987	1,272.00

Select Records

Applet linkApplet started

Local intranet

MAXIMO - Purchase...

FY06

(b)(6)

1 of 15

File Edit View Favorites Tools Help

Back x Search Favorites

http://lewis4pw016:7003/maximo/jsp/app/po/search.jsp

Site: LEWIS

Current Query: Select Action

Search PO PO Lines Attached Documents

Results

Filter

Displaying 1 - 20 of 287

7500 SERVICE mandrel rental for washracks	AAPPR	00001024	1,400.00
7500 SERVICE: PM service forklift at WWTP	AAPPR	C00000000000003326	86.48
7913 SERVICE: sharpen saw chains	CLOSE	C0000124	36.00
3295 SERVICE: repair HP printer	AAPPR	C0002254	224.00
7913 threaded rod, 3/4"	AAPPR	C0000036	81.20
3295 ear plugs, manometer, wire stripper	AAPPR	00001037	379.24
3295 ratchets	AAPPR	00001037	36.38
3292 Topog-E gaskets	AAPPR	C0002472	1,061.88
7913 Romac repair clamps	AAPPR	C00000000000003632	920.25
7913 manhole hooks, hydrant wrenches	AAPPR	C0001332	350.46
7500 clamps, washrack repair	AAPPR	C0000068	402.30
7913 sewer truck hose, 1" X 500'	AAPPR	C00000000000003751	1,250.11
3292 Goodway bags, liners, & filters	AAPPR	C0002486	272.00
7500 washrack repair valves & fittings	AAPPR	00001030	2,200.00
7913 Hill cut-off wheels	AAPPR	C0000588	199.20
7500 bolts, washers, & cotter pins for washracks	AAPPR	C0000036	106.18
7913 manhole setter sling	AAPPR	C0001332	208.78
7913 safety clothing	AAPPR	00001037	1,421.52
7913 shovels	AAPPR	00001030	Company 00
7913 shop supplies	AAPPR	C0001305	780.62

Select Records

Applet linkApplet started

Local Intranet

Fy06

2 of 15

(b)(6)

Maximo Purchase Order System - Lewis of Internet Explorer

File Edit View Favorites Tools Help

Back Search Favorites

http://lewis4pw016:7003/maximo/jsp/app/po/search.jsp

Site: LEWIS

Current Query:

Select Action

Search PO PO Lines Attached Documents

Results

Filter

Displaying 21 - 40 of 267

7500 operations & office supplies	AAPPR	C0001305	1,209.42
3285 office supplies	AAPPR	C0001305	269.48
3295 & 7500 safety shoes	AAPPR	C0000000000004074	475.91
3292 B3-250 1" steam traps	AAPPR	C0000000000003632	611.00
7913 office supplies	AAPPR	C0001305	270.33
3292 Spirax/Sarco steam traps & kts	AAPPR	C0000000000003632	2,191.23
9578 SERVICE: troubleshoot # 2 boiler's burner	CAN	C0002030	1,500.00
7913 catch basin sling & flange jacks	AAPPR	C0001332	840.51
7913 chain saw & chains	AAPPR	C0000124	658.20
7913 SERVICE: provide winch & install on vehicle	AAPPR	C0000000000004315	2,247.22
7500 bearings, sprockets, & chain	AAPPR	C0000083	1,142.87
7500 steel gantry & trolley	AAPPR	00001037	2,085.30
3295 magnets, mech. fingers, & mirrors	AAPPR	C0000000000004316	225.56
7913 Impac Card Rebate	AAPPR	C0000000000002591	-182.38
7913 SERVICE: Impac Card Rebate	AAPPR	C0000000000002591	-65.00
7913 SERVICE: Impac Card Rebate	AAPPR	C0000000000002591	-50.60
7913 Impac Card Rebate	AAPPR	C0000000000002591	-311.01
7913 safety shoes	AAPPR	C0000000000004074	572.63
7600 office supplies	AAPPR	C0001305	139.17
7500 SERVICE: fabricate steel hinges & pins	AAPPR	00001035	2,420.00

Select Records

javascript:tableAction('scrollnext', 'showlist', '-1, 0');

Local intranet

Maximo Purchase

FY06

3 of 15

(b)(6)

File Edit View Favorites Tools Help

Back Search Favorites

http://lewis1pw016:7003/maximo/jsp/app/po/search.jsp

Site: LEWIS

Current Query: Select Action

Search PO PO Lines Attached Documents

Results

Filter

Displaying 41 - 60 of 287

2027 Monarch fuel oil nozzles	AAPPR	C0002030	35.46
9785 Wingart sample coolers	AAPPR	C00000000000002553	597.21
3292 Kent-Taylor recording charts	AAPPR	C0002465	209.40
7500 diffusers & skimmer nets	AAPPR	C0001332	756.56
7913 respirator masks	AAPPR	00001037	243.76
3292 & 9578 thermometers, air conditioner	AAPPR	00001037	651.45
3292 steel rolling ladders	AAPPR	Follow Up Date	758.04
3152 steel loading ramp & spill deck	AAPPR	00001046	475.60
3292 can loc 4" fittings	AAPPR	00001030	792.00
7500 galvanized grating (for washracks)	AAPPR	C00000000000004336	2,116.00
3152 hose bridge system	AAPPR	C00000000000004226	551.31
3292 Hoffman water vents	AAPPR	C00000000000004068	588.01
3292 Amco industrial oil meters	AAPPR	00001081	2,185.45
3292 & 3152 LMI chemical metering pumps	AAPPR	00001044	931.28
3292 Radline gauge glass	AAPPR	C0000054	61.50
3292 Winters gauges	AAPPR	C0000054	401.93
7913 water line repair parts - Golf Course	AAPPR	C00000000000003632	452.50
7500 SERVICE: PM service loader at WWTP	AAPPR	00001040	2,465.66
7913 rangeear	AAPPR	C00000000000002907	108.00
7500 rental of Genie lift for washrack repair	AAPPR	00001024	580.00

Select Records

Applet linkApplet started

Local intranet

Fyole

(b)(6)

4 of 15

http://lewis016:7003/maximo/jsp/app/po/search.jsp

File Edit View Favorites Tools Help

Back Search Favorites

http://lewis016:7003/maximo/jsp/app/po/search.jsp

Site: LEWIS

Current Query:

Select Action

Search PO PO Lines Attached Documents

Results

Filter

Displaying 61 - 80 of 247

3292 asstd. fittings & valves	AAPPR	C0000000000003679	1,277.41
3292 Diesel boiler truck asstd. valves & fittings	AAPPR	C0000000000003679	223.79
3295 asstd. valves	AAPPR	C0000000000003679	257.73
7913 asstd. pipe, couplings & saddles	AAPPR	C0000206	2,414.39
7913 SERVICE: training (David Beer)	AAPPR	C0000000000004016	285.00
7972 drum pump motors & tubes	AAPPR	C0001332	2,021.40
7500 thermometers	AAPPR	C0001332	92.11
7872 office supplies	AAPPR	C0001305	478.61
7913 shop supplies	AAPPR	C0000000000003165	2,076.96
7913 pvc sewer pipe, 6"	AAPPR	C0000000000003632	288.00
7872 office supplies	AAPPR	C0001305	657.85
9578 asstd. fittings & valves	AAPPR	C0000000000003679	1,074.76
3282 Amco industrial oil meters	AAPPR	00001081	1,423.81
3282 Duran heavywall redline gage glass	AAPPR	C0000054	88.00
7872 SERVICE: PM service riding lawn mower	AAPPR	C0001588	189.95
3295 blue safety hi-risk gloves	AAPPR	00001074	71.72
7913 3-rail marking posts, valve box cleaner	AAPPR	C0001332	818.99
7913 ratchets & channel locks	AAPPR	00001037	332.84
3295 Adams stainless pipe repair clamps	AAPPR	00001030	374.00
7500 SERVICE: Repair printer/fax machine	AAPPR	C0002254	175.00

Select Records

This document was sent to the printer

Document name: 'PrintNow (1) DIB Image'
Printer name: '\\lewis016\010\LEWIPRPW061'
Time sent: 9:06:52 AM 4/30/2007
Total pages: 1

javascript:tableAction('scrollnext', 'showlist', -1, '');

Navigation bar with icons for back, forward, and search.

Fy06

5 of 15

(b)(6)

File Edit View Favorites Tools Help

Back x Search Favorites

http://lewis4pw016:7003/maximo/jsp/app/po/search.jsp

Sign LEWIS Sign Center Go To Sign Out Help

Current Query: Select Action

Search PO PO Lines Attached Documents

Results

Displaying 81 - 100 of 287

Item	Description	Item	Quantity	Unit Price	Total Price
7913 6" rep. couplings, rings, & gaskets	AAPPR	C0000206		77.32	
7500 & 7913 shop supplies	AAPPR	C0001305		1,478.76	
2162 SERVICE: Rep. water softener	AAPPR	00001044		210.00	
Fire Dept. SERVICE: safety clothing w/screen print	AAPPR	C0001534		12,518.03	
7500 WAWTP lab supplies	AAPPR	C0001332		801.73	
7913 gas monitors, flow regulators	AAPPR	C0000000000002959		2,482.25	
7913 manhole rings & lids	AAPPR	C0000206		1,192.50	
3854 McDonnell & Miller head mechanism	AAPPR	C0000000000002588		538.00	
7913 sewer pipe & couplings	AAPPR	C0000000000003632		1,820.48	
7972 storage cabinets	AAPPR	00001074		1,867.95	
7972 corrugated boxes	AAPPR	00001074		287.00	
7913 asstd. pvc fittings	AAPPR	00001037		607.32	
7913 asstd. pvc fittings	AAPPR	00001037		282.26	
7913 asstd. pvc fittings	AAPPR	00001037		182.40	
7913 vise grips & impact wrench	AAPPR	00001037		376.00	
3285 misc. hand tools	AAPPR	00001037		386.31	
7972 v-belts	AAPPR	C0000068		41.94	
7972 & 7913 Office & shop supplies	AAPPR	C0001305		1,084.31	
7500 SERVICE: Upgrade electrical panel	AAPPR	C0001622		1,917.00	
7913 pvc sewer pipe, 10"	AAPPR	C0000000000003632		740.00	

Select Records

javascript:tableAction('scrollnext', 'showlist', '-1, ');

MAXIMO - Purchase

This document was sent to the printer

Document name: 'PrintNow (1) DIB Image'

Printer name: '\\lewis4pw016\LEWIPRPW061'

Time sent: 9:06:52 AM 4/30/2007

Total pages: 1

Fy06
(b)(6)

6 of 15

File Edit View Favorites Tools Help

Back Search Favorites

http://lewis4pw016.7003/maximo/jsp/app/po/search.jsp

Current Query: PO PO Lines Attached Documents

Results

Displaying 101 - 120 of 267

Item	Description	Item	Item	Amount	
3295	safety shoes	AAPPR	C0002375	145.00	
7913	sewer line marker decals	AAPPR	C0001332	47.40	
3292	recording chart marking pens	AAPPR	C0002465	232.80	
	chemical injection tubing	AAPPR	00001044	123.99	
	chart marking pens	AAPPR	C0000000000004370	410.06	
	7500 SERVICE: Training (Wastewater Laboratory)	AAPPR	C0002533	325.00	
	7913 street valve boxes, risers, & lids	AAPPR	C0000206	1,970.75	
	7913 impact wrench adapters	AAPPR	00001037	89.76	
	3296, 7500, & 7913 asstd. leather gloves	AAPPR	C0002274	2,434.58	
	7913 SERVICE: Rep. Sishi cutoff saw	AAPPR	C0000311	177.70	
	7913 HBI core drilling rig	AAPPR	00001031	2,467.76	
	7500 office & shop supplies	AAPPR	C0001305	714.87	
	7913 cleaning supplies	AAPPR	C0001305	175.61	
	7500 office supplies	AAPPR	C0001305	32.91	
	3295 safety shoes	AAPPR	C0000000000004074	82.95	
	7913 rain gear & safety clothing	AAPPR	00001034	323.83	
	SERVICE: PM service forklift of VVWTP	AAPPR	C0000000000003326	933.04	
	7500 washrack repair parts	AAPPR	00001030	2,486.25	
	7913 water, sewer, & storm line repair parts	AAPPR	C0000206	748.55	
	7913 SERVICE: Check r/h brake on vector truck	CAN	C0000000000004057	0.00	

Select Records

Local Intranet

Fy06

(b)(6)

(b)(6)

7 of 15

Internet Explorer - http://lewis1pw016:7003/maximo/jsp/app/po/search.jsp

File Edit View Favorites Tools Help

Back x Search Favorites

http://lewis1pw016:7003/maximo/jsp/app/po/search.jsp

Site: LEWIS

Current Query: Select Action

Search PO PO Lines Attached Documents

Results

Filter

Displaying 121 - 146 of 287

Item Description	Item Type	Item Code	Amount
3295 Goodway particle filter c	AAPPR	C0002466	-11.00
7913 nuts, bolts, hooks, chain	AAPPR	00001030	399.56
7913 SERVICE: Repair pump on vector truck	AAPPR	C00000000000003751	1,253.36
7913 clevis hooks, clips, loops, mender, chain	AAPPR	00001030	639.20
3295 esstd. fittings	AAPPR	C00000000000003679	190.00
3295 esstd. valves & fittings	AAPPR	Follow Up Date C00000000000003679	674.12
Ford Boiler Tri. esstd. black iron fittings	AAPPR	C00000000000003679	213.68
9785 Milwaukee 3" gate valve	AAPPR	00001030	596.00
esstd. Rigid saw blades	AAPPR	00001030	244.00
7913 quick connects, 1-bolts, ductile lugs	AAPPR	00001030	913.50
7500 SERVICE: Repair washrack pump timers	CLOSE	C0001622	1,806.00
7913 Vector truck leader hose	AAPPR	C00000000000003751	379.90
7913 esstd. tools	AAPPR	00001037	957.81
7913 esstd. hand tools	AAPPR	00001037	824.88
3654 Honeywell switches & valves	AAPPR	00001030	2,384.00
3295 SERVICE: Impac Card Rebate	CLOSE	C00000000000002591	-141.18
3295 SERVICE: Impac Card Rebate	CLOSE	C00000000000002591	-86.93
3295 Impac Card Rebate	CLOSE	C00000000000002591	-583.78
7913 water meter kits	AAPPR	00001030	1,583.00
7913 catch basin risers	AAPPR	C0000206	166.16

Select Records

Applet link Applet started

Local intranet

Fy06

(b)(6)

8 of 15

Displaying 141 - 160 of 287

Item	Description	Category	Item ID	Price
7913	gloves	AAPPR	00001034	26.98
7972	office supplies	AAPPR	C0001305	270.09
7913 & 7500	threaded plugs & Fernco	AAPPR	C0000000000003632	156.60
7913	Fernco couplings	AAPPR	C0000000000003632	130.52
7913 Hilli	rolchammers & bits	AAPPR	00001031	2,459.81
7913 plbl.	water pump rental	AAPPR	00001024	882.00
3LC	asstd. black iron fittings	AAPPR	C0000000000003679	244.67
3295	safety shoes	AAPPR	00001043	110.83
7500 SERVICE: Rep.	MultiGulp trash pump	AAPPR	C0000000000004439	1,870.40
7500 & 7913	asstd. gloves	AAPPR	C0002274	1,807.20
3295	office supplies	AAPPR	C0001305	504.81
3295	office supplies	AAPPR	C0000000000003165	337.76
3295	office supplies	AAPPR	C0000000000003165	89.78
3295	office supplies	AAPPR	C0001305	131.25
7913	fire hydrant	AAPPR	C0002242	1,294.13
7913	fire hydrants	AAPPR	C0002242	2,496.00
3295	misc. tools & lamps	AAPPR	00001037	351.59
3295	lamps	AAPPR	00001037	51.98
7913	misc. lamp	AAPPR	00001037	910.02
7913	mech. jckt restrainers, 6"	AAPPR	C0000000000003632	206.04

Select Records

This document was sent to the printer
 Document name: 'PrintNow (1) DIB Image'
 Printer name: 'Lewis4pw016\LEWIPRPW061'
 Time sent: 9:07:00 AM 4/30/2007
 Total pages: 1

FY06

(b)(6)

9 of 15

MAXIMO Purchase Order Search - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back x Search Favorites

http://lewis4pw0167003/maximo/jsp/app/po/search.jsp

Site: LEWIS

Current Query: Select Action

Search PO PO Lines Attached Documents

Results

Filter

Displaying 161 - 186 of 287

3295, 7913, 7972, 7500 cell phone accessories	AAPPR	C0000000000003535	1,323.62
7500 v-belts	AAPPR	C0000068	268.10
7500 SERVICE: Repl. tires on forklift	AAPPR	C0002247	272.50
7913 office & cleaning supplies	AAPPR	C0001305	446.08
7500 rental of Genie lift for washrack repairs	AAPPR	00001024	1,250.00
7500 washrack repair parts	AAPPR	00001030	1,139.55
7500 washrack repair parts	AAPPR	00001030	1,620.00
7913 washrack repair parts	AAPPR	00001030	380.05
7913 SERVICE: Repair Stihl chain saw	AAPPR	C0000124	20.50
7500 & 7913 sewage pumps	AAPPR	00001037	2,265.32
3295 Cleaver-Brooks CB200 fireside PM kits	AAPPR	C0002030	1,187.51
3295, 7972, 7500, 7913 office supplies	AAPPR	C0001305	869.90
9578 CB400 fireside annual PM kits	AAPPR	C0002030	1,531.82
7500 washrack repair parts	AAPPR	00001030	1,101.00
7913 full-circle repair clamps	AAPPR	00001030	1,398.00
2025 McDonnell & Miller water feeders	AAPPR	C0000000000002598	1,052.08
7913 Hilli 14" gas saw	AAPPR	00001031	1,180.06
3292 Winters 2" bi-metal thermometer	AAPPR	C0000000000003832	182.00
3292 FMV ball valves	AAPPR	C0000000000003632	543.60
7913 ladders, cord reels, etc.	AAPPR	C0000000000004408	1,376.96

Select Records

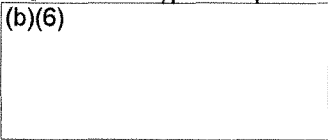
javascript:tableAction('scrollnext', 'showlist', '-1, ');

Local intranet

FY06

(b)(6)

10 of 15



File Edit View Favorites Tools Help

Back X Search Favorites

http://lewis4pw0167003/maximo/jsp/app/po/search.jsp

Go

LEWIS

Current Query:

Select Action

Search PO PO Lines Attached Documents

Results

Filter

Displaying 101 - 200 of 207

7913 office supplies	AAPPR	C0001305	36.84
3292 SERVICE: steam flow totalizer on # 3 boiler	AAPPR	C0000000000003671	1,551.00
7972 SERVICE: Rep. auto. gate opener at Water Plant	AAPPR	C0000000000003441	99.50
9785 SERVICE: Repl. water backflow preventer	AAPPR	C0002442	438.00
3152 SERVICE: Perform boiler inspections	CLOSE	C0000000000004472	1,049.70
7913 safety clothing	AAPPR	00001037	697.45
7913 sound blocker hard hat	AAPPR	00001037	39.96
3295 safety & shop supplies	AAPPR	00001037	561.64
3295 safety glasses & inspection tags	AAPPR	00001037	60.60
7913 galvanized fittings	AAPPR	00001030	552.00
3292 LMI metering pumps	AAPPR	00001044	1,787.16
3295 asstd. fittings & valves	AAPPR	C0000000000003679	323.80
7913 pvc sewer fittings	AAPPR	00001030	385.90
3295 Topog-E gaskets	AAPPR	C0002472	665.40
7913 HMI bits	AAPPR	00001031	572.08
3295 McDonnell & Miller 150 head mechanisms	AAPPR	C0000000000002598	1,303.70
7913 shop vac/pumps	AAPPR	00001037	1,379.08
7500 SERVICE: Rep. DR4000U analyzer	AAPPR	C0000166	2,083.00
7913 Vector Xtend - a - Claw	AAPPR	C0000000000003751	318.23
7913 Vector "arrowboard" & control box	AAPPR	C0000000000003751	1,293.09

Select Records

javascript:tableAction('scrollnext', 'showlist', '-1, ');

Local intranet



FY06

11 of 15

(b)(6)

http://lewis1pw016.7003/maximo/jsp/app/po/search.jsp

File Edit View Favorites Tools Help

Back X Search Favorites

http://lewis1pw016.7003/maximo/jsp/app/po/search.jsp

Site: LEWIS

Current Query:

Select Action

Search PO PO Lines Attached Documents

Results

Displaying 201 - 220 of 247

Filter	Description	Category	Item ID	Amount	Actions
	7972 cleaning supplies	AAPPR	C0001492	1,147.45	
	7972 & 7913 office supplies	AAPPR	C0001305	1,125.60	
	7913 catch basin risers	AAPPR	C0000206	92.30	
	9576 SERVICE: Rep. water softener leak	AAPPR	00001044	88.89	
	3295, 7913, 7972 safety shoes	AAPPR	C0000000000004074	1,175.65	
	7500 mechanical pump switches	CLOSE	C0000206	328.16	
	3654 assld. black iron fittings	AAPPR	00001030	147.60	
	9576 SERVICE: computer work stations	AAPPR	C0000000000004484	2,233.88	
	9576 Assld. black iron fittings	AAPPR	C0000000000003679	82.25	Follow Up Date
	3292 brass nuts, 1/2 - 13	AAPPR	C0000036	56.00	
	3295 bio overalls	AAPPR	00001034	422.91	
	3295 Novetec gaskets	AAPPR	C0000331	1,632.00	
	7913 full-circle 6" repair clamps	CLOSE	C0000000000003632	917.40	
	3282 Chessel recording charts	AAPPR	C0002465	148.20	
	3654 Duren gouge glass 5/8" X 3/8"	AAPPR	C0000054	214.54	
	2025 G & L 2 hp 3-phase pump	AAPPR	00001030	1,197.00	
	7913 safety clothing	AAPPR	00001034	116.98	
	3282 natural gas regulator	AAPPR	00001030	1,382.00	
	7913, 7500, 7972 cell phone accessories	AAPPR	C0000000000004487	334.98	
	7913, 7500, 7972 cell phone accessories	AAPPR	C0000000000004487	226.84	

Select Records

Applet linkApplet started

Local intranet

Fy06

12 of 15

(b)(6)

MAXIMO: Maximo Search - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back x 3 Search Favorites

http://lewis4pw016:7003/maximo/jsp/app/po/search.jsp

LEWIS

Current Query: Select Action

Search PO PO Lines Attached Documents

Results

Files

Displaying 221 - 240 of 287

7913, 7500, 7972 cell phone accessories	AAPPR	C00000000000004488	376.00
3295 & 7913 office supplies	AAPPR	C0001305	587.40
7913 office supplies	AAPPR	C0001305	26.38
7913 HMI 18" gas sew	AAPPR	00001031	2,491.45
7972 chlorine & fluoride transfer pumps	AAPPR	00001044	2,464.02
7500 equipment rental - Cat skidster & tiller	AAPPR	00001040	7,600.00
7913 Impac Card Rebate	AAPPR	C00000000000002591	-571.87
7913 SERVICE: Impac Card Rebate	CLOSE	C00000000000002591	-43.37
7500 Aurora pump repair parts	AAPPR	00001030	2,499.00
7500 SERVICE: PM service on forklift	AAPPR	C00000000000003326	98.56
7913 connectors, ball valves, brass pipe conn.	AAPPR	00001037	793.69
7500 grey bricks	AAPPR	00001030	342.50
8576 Cleaver-Brooks seal off assys. & heat blocks	AAPPR	C0002030	284.01
7913 round manhole cover, 30"	CLOSE	00001030	1,295.00
3295 Bacharach PCA 35 flue analyzer	AAPPR	00001030	2,499.00
3295 SERVICE: design, furnish & install workstation	CLOSE	C00000000000004484	1,809.02
7913 water meter boxes, lids, gate valves	AAPPR	C0000206	1,209.06
7500 washrack oil booms	AAPPR	C00000000000004482	2,087.10
2027 SERVICE: Rep. Burnham boiler	AAPPR	C0002030	2,354.00
3757 Honeywell equastat & immersion well	AAPPR	00001030	277.00

Select Records

javascript:tableAction('scrollnext','showlist',-1,');

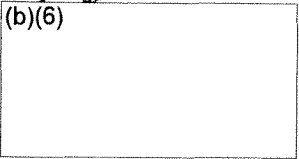
MAXIMO: Print Now

This document was sent to the printer
 Document name: 'PrintNow (1) DIB Image'
 Printer name: '\\lewis4pw016\LEWIPRPW061'
 Time sent: 9:07:09 AM 4/30/2007
 Total pages: 1

FY06

(b)(6)

13 of 15



Filter

Displaying 241 - 266 of 287

3292 & 9576 foam tape & vertical blinds	AAPPR	00001030	305.00
7500 Aurora pump parts	AAPPR	00001030	1,890.00
7913 misc. supplies & hand tools	AAPPR	C0000000000004408	1,688.15
7913 diamond saw blade, 14"	AAPPR	C0000000000004408	411.73
1450 Asco Rad Hat valves	AAPPR	00001030	837.00
3292 SERVICE: install workstation bldg 3292	CLOSE	C0000000000004484	2,449.00
3295, 9576, 7913 caulk guns, hose kits, bits, etc.	AAPPR	00001030	1,329.30
7913 curb box keys	AAPPR	C0001332	580.80
7913 saws, pruners, wrenches, ratchets	AAPPR	00001037	1,419.32
7913 concrete housing lifter	AAPPR	C0001332	1,046.85
Int. Elec. SERVICE: Rep. UPS at Liberty Gate	CLOSE	00001026	4,075.00
office supplies	AAPPR	C0001305	104.79
SERVICE: R & R L/R tire on skid loader	CLOSE	00001040	247.25
SERVICE: R & R boiler tubes in Kewanee boiler	CLOSE	C H MURPHY	1,687.00
2025 boiler feed water tank	CLOSE	00001030	3,290.00
3292 condensate pump motor	CLOSE	C0000000000004408	317.00
3292 handhole gaskets	CLOSE	C0002472	99.25
7500 safety shoes	CLOSE	C0002375	179.10
646, 645, 642, office supplies	CLOSE	C0001305	532.94
3292 office supplies	CLOSE	C0001305	205.94

Select Records

This document was sent to the printer
 Document name: 'Printnow (1) DIB Image'
 Printer name: '\\lewis0pw010\LEWIPRW061'
 Time sent: 9:07:09 AM 4/30/2007
 Total pages: 1

Applet link Applet started

FY06

14 of 15

(b)(6)



File Edit View Favorites Tools Help

Back Search Favorites

http://lewis4pw016.7003/maximo/jsp/app/po/search.jsp

Site LEWIS

Current Query:

Select Action

Search PO PO Lines Attached Documents

Results

-Filter

Displaying 261 - 280 of 287

7500 clarifier brushes	CLOSE	FORD HALL COMPANY,	-481.59
7913 fire hydrant stem	CLOSE	00001030	321.00
3292 safety supplies	CLOSE	00001037	59.96
2026 Asco red hat valve	CLOSE	00001030	310.00
2182 SERVICE R & R two boiler tubes	CLOSE	C H MURPHY	1,500.00
7500 digester repair parts	CLOSE	C0000206	138.88
9576 Cleaver Brooks boiler repair parts	CLOSE	C0002030	218.01
main boiler valves & fittings	CLOSE	C00000000000003679	418.88
Ford Trk. ass'd valves & fittings	CLOSE	C00000000000003679	348.46
LC3 ass'd. valves & fittings	CLOSE	C00000000000003679	102.08
9785 SERVICE: plug leaking water tubes on boiler	CLOSE	C H MURPHY	2,300.00
7500 oakum	CLOSE	00001030	81.00
Impac Card Rebate	CLOSE	C00000000000002591	-59.43
Impac Card Rebate	CLOSE	C00000000000002591	-327.50
SERVICE: Impac Card Rebate	CLOSE	C00000000000002591	-89.08
7500 oakum	CLOSE	00001030	548.00
7500 SERVICE: Rep. flat tire on forklift at WWTP	CLOSE	C0002247	120.65
7500 Gorman Rupp pump repair parts	CLOSE	00001030	1,139.00
7500 SERVICE: Rep. sludge pump	CLOSE	CORRECT EQUIPMENT	720.00
3292 handhole gaskets	CLOSE	C0002472	344.13

Select Records

javascript:tableAction('scrollnext', 'showlist', '-1, ');

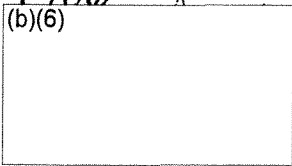
Local intranet



FV06

15 of 15

(b)(6)



File Edit View Favorites Tools Help

Back x Search Favorites

http://lewis4pw016:7003/maximo/jsp/app/po/search.jsp



Current Query: Select Action

Search PO PO Lines Attached Documents

Results

Displaying 281 - 287 of 287

Filter

3292	Ilovetec gaskets	CLOSE	C0000331	629.02
7500 # 3	digester rep. parts	CLOSE	C0001160	697.48
7913	Romac repair couplings	CLOSE	C0000206	810.80
7813	gate valve & B" accessory kits	CLOSE	C0000000000003632	865.12
1482	steel ball valves, 2"	CLOSE	C0000000000003632	365.20
2025	pipe fittings for tank replacement	CLOSE	C0000054	817.78
7913	fire hydrant, 4' Clow	CLOSE	C0002242	1,249.00

Select Records

Follow Up Date

Applet linkApplet started

Local Intranet



EXHIBIT 10

TAB 12M

BOOK 2 OF 3

CD- EXH 10

TAB 12M

Product Search

You can search by keyword in the field below. Please use a single keyword, phrase or the exact title. You can also use the Advanced Search feature by clicking on that tab. This will give you the ability to search for products by format (such as VHS, book or DVD), training categories, versions and product collections.

KEYWORD SEARCH | ADVANCED SEARCH

Featured Products

New Releases

NO INJURY. NO ACCIDENT?

ADD TO CART | ADD TO WISHLIST



Discover how near misses can add up to major accidents.

NO INJURY. NO ACCIDENT? SECOND EDITION

ADD TO CART | ADD TO WISHLIST



Update of a major Safety Best Seller illustrating that workplace incidents that are near misses must be reported and addressed.

Search Tip!

If you are using our online search feature and you know the exact title that you are looking for, please type it in the field. If you don't know the exact title, please type in a distinguishing keyword instead of a phrase that may not match a title exactly. For example, if you are looking for "Give 'em The Pickle" and you don't remember the exact name, just type in "Pickle."

Product Search

You can search by keyword in the field below. Please use a single keyword, phrase or the exact title. You can also use the Advanced Search feature by clicking on that tab. This will give you the ability to search for products by format (such as VHS, book or DVD), training categories, versions and product collections.

KEYWORD SEARCH	ADVANCED SEARCH
<input type="text" value="confined space"/>	

Featured Products

New Releases

CLEARING THE AIR: CONFINED SPACE ENTRY

[ADD TO CART](#) [ADD TO WISHLIST](#)

This video discusses the potential dangers of confined space entry and shows how to enter confined spaces safely.

CONFINED SPACE ENTRY

[ADD TO CART](#) [ADD TO WISHLIST](#)

To avoid serious hazards associated with a confined space entry, employees must be quick-thinking and fast-acting with their response.

CONFINED SPACE ENTRY: INSIDE MANEUVERS

[ADD TO CART](#) [ADD TO WISHLIST](#)

This dynamic program uses the USS Atlanta, a United States Naval submarine, and its crew as a dramatic backdrop to compare the dangers of working in a submarine to that of working in a confined space.

CONFINED SPACE ENTRY: INVESTIGATION

[ADD TO CART](#) [ADD TO WISHLIST](#)

Investigates two real confined space accidents -- what happened, what went wrong and how they could have been prevented.

CONFINED SPACE ENTRY: PERMIT REQUIRED

[ADD TO CART](#) [ADD TO WISHLIST](#)

Will help protect your employees from the dangers of working in confined spaces.

CONFINED SPACES, DEADLY PLACES

[ADD TO CART](#) [ADD TO WISHLIST](#)

The first module of the Confined Space Training Program .

Search Tip:

If you are using our online search feature and you know the exact title that you are looking for, please type it in the field. If you don't know the exact title, please type in a distinguishing keyword instead of a phrase

Product Search

You can search by keyword in the field below. Please use a single keyword, phrase or the exact title. You can also use the Advanced Search feature by clicking on that tab. This will give you the ability to search for products by format (such as VHS, book or DVD), training categories, versions and product collections.

KEYWORD SEARCH	ADVANCED SEARCH
<input type="text" value="tag"/>	

Featured Products	New Releases
-------------------	--------------



LOCKOUT - TAGOUT PROCEDURES

[ADD TO CART](#) [ADD TO WISHLIST](#)

This program covers the purpose of lockout - tagout, the hazards associated with the accidental release of stored energy, proper lockout - tagout procedures for attaining zero energy state, proper startup procedures and special situations.

LOCKOUT / TAGOUT: AN OPEN & SHUT CASE

[ADD TO CART](#) [ADD TO WISHLIST](#)

This program helps solve the mystery of lockout/tagout by focusing on the basics.

LOCKOUT / TAGOUT: REAL, REAL-LIFE

[ADD TO CART](#) [ADD TO WISHLIST](#)

This video program will help you comply with OSHA's Lockout/Tagout Standard (1910.147).

SIGNS, TAGS, LABELS, AND PLACARDS

[ADD TO CART](#) [ADD TO WISHLIST](#)

Injuries and accidents can be prevented and lives can be saved when signs, tags, labels and placards are used properly. This training package includes a 17-minute video, Trainer's Manual with reproducible participant material and is an effective way to reinforce what employees see everyday, but don't often heed.

Search Tip:

If you are using our online search feature and you know the exact title that you are looking for, please type it in the field. If you don't know the exact title, please type in a distinguishing keyword instead of a phrase that may not match a title exactly. For example, if you are looking for "Give 'em The Pickle" and you don't remember the exact name, just type in "Pickle."



Learning Communications L.L.C.

8345 University Ave. Suite 4-1
Clive Iowa 50325

Fax Correspondence

Date: February 21, 2007

To: (b)(6)

Fax Number: 253-957-2547

Company: US Army

Pages (including cover): 2

From: (b)(6)

- Des Moines

Remarks: Urgent For Review Reply ASAP Please Comment
Message:

Please call me at 800-676-7975 to confirm that you received your fax. Thank you.

Learning Communications L.L.C.
8345 University Boulevard Suite 4-1 Clive Iowa 50325
Toll-Free (800) 676-7975, Local (515) 214-5199, Fax (515) 214-3100

**Accounting Offices - 38 Discovery, Suite 250
 Fort Lewis, WA 98433**

Invoice Number: 88 37287
 Invoice Date: 03/14/01

Bill-To Customer: 81650

Ship-To Customer: 81650

At: (b)(6)
 Supervisor, Public Works
 US Army
 310ng 7972 Vancouver Rd North Fort
 Fort Lewis, WA 98433

(b)(6)
 Supervisor, Public Works
 US Army
 310ng 7972 Vancouver Rd North Fort
 Fort Lewis, WA 98433

LONG Terms: NET 30 IN 30 DAYS

Product Description	Unit Price	Total Price
COMBINED SPACES, READY PLACES ENGLISH DVD Type: Conversion of Russian to Aisle	420.75	420.75
COMBINED SPACES, HY-VIDE BY RUBIN	00	00
NO FRIGHT, NO ACCIDENT? SECOND EDITION DVD VERSION	420.75	420.75
NO INHIBIT, NO ACCIDENT? IT 20 CD-ROM TRAINING MATERIALS	1.00	1.00
NO INHIBIT, NO ACCIDENT? SECOND EDITION TRAINING MATERIALS CD-ROM	1.00	1.00
SOLE FOR END RACKET TRACK SAFETY DVD VERSION	335.75	335.75
7 01 1 0 00193 S DVD LONGHORN - TRACK PROCEDURES	335.75	335.75

For further information, please contact
 Mad Masaki
 800-676-1775 or masaki@longhorn.com

Item Subtotal: 1,111.00

AMOUNT TO BE PAID: 1,111.00

✓ 100% PAID

- experience; auto volume leveler
- **Ultraslim** (3-2/5" deep), lightweight design is ideal for wall mounting; swivel stand for added convenience
- **Progressive scanning** maximizes the picture quality of progressive-scan DVD players, set-top boxes and digital video recorders
- **USB input** for quick connection of a digital camera or other USB devices; PC input allows the TV to function as a high-resolution monitor
- **Inputs:** 2 RF, 1 component, 2 S-video, 2 composite, 2 HDMI, 1 PC S-sub, 1 RS232C, A/V
- **Outputs:** 1 sound monitor, 1 optical sound, 1 headphone
- **V-Chip parental controls** keep children from being exposed to undesirable material
- **Other convenient features** include auto channel search, multilingual on-screen displays, still picture, picture-in-picture, optimized game mode and sleep timer

Product Details

Warranty Terms - Parts	1 year
Warranty Terms - Labor	1 year
Product Height	28-1/10" with stand (25-9/10" without)
Product Width	39"
Product Weight	50.3 lbs.
Product Depth	12-4/5" with stand (3-2/5" without)
TV Type	LCD flat panel
Screen Size	40"
Aspect Ratio	16:9
Display Type	Flat-panel LCD
Built-In Player	No
Built-In_DVR	No
Digital Cable Ready	No
Digital Capabilities	HD built-in
Maximum Resolution	1366 x 768
Vertical Scanning Lines (Native Mode)	768
Contrast Ratio	4000:1
Brightness	500 cd/m ²
Comb Filter	3D Y/C
Media Card Slot	No
USB Slot	Yes
Digital Convergence	Yes
Picture-In-Picture	Yes
HDMI Inputs	2
DVI Inputs	No
S-Video Inputs	2
Component Video Inputs	1
Composite Inputs	2
RGB Inputs	No
PC Inputs	1
RF Antenna Input	2
Headphone Jacks	1
Watts/Channel	10W
Speakers	2
Sound Leveler	Yes
Language Options	English, French, Spanish
V-Chip	Yes
Sleep/Alarm Timer	Yes
Channel Labeling	Yes

70225
SEARS

SEARS

STAND

SEARS
SEARS, WA 02219



SEARS

RETAIN FOR COMPARISON WITH MONTHLY
STATEMENT OR FOR RETURN OR EXCHANGE

SEARS

SALESCHECK #
022190571459

PURCHASER: (b)(6)
ADDRESS: 7972 VANCOUVER RD
CITY/STATE: TACOMA, WA
ZIP CODE: 98433
PHONE: (b)(6)

SEARS

SEARS

EXPECTED DATE: 02/09/07

TRAN# PG/STORE REG# ASSOC#
1459 99 02219 057 2006
RINGING ASSOC # 2006

SEARS

MERCHANDISE HOLDING
CUSTOMER PICKUP

SEARS

2057 40786 SAM STAND, MDS 249.99T
57 60048 RCA, 50" KKR MDS 17.99T
UPC: 079000317975
57 60084 RCA, 6" COMP MDS 24.99T
UPC: 079000331674
57 80049 RCA, 6" STER MDS 14.99T
UPC: 079000316862
SUBTOTAL 307.96
TAX EXEMPT .00

SEARS

SEARS

02/09/07 VISA TOTAL 307.96

RC: 0407-9267-7381-7187

SEARS

THE FOLLOWING ITEM(S) MAY BE SUBJECT
TO A CANCELLATION/RESTOCKING FEE
IF RETURNED:
2057 40786 SAM STAND



EXHIBIT 10

TAB 13

AR 15-6 Investigation

Investigating Officer: Greta M. Powell, GG-13/Chief, DPTMS Security Division
 Appointing Official: COL Cynthia A. Murphy, Garrison Commander

Interview Data Sheet

Name: [REDACTED]	Date: 4/30/2007
Rank: WG-09	Time: 1530
Organization: DES (Previously DPW)	Location: [REDACTED]
Phone: [REDACTED]	Email: [REDACTED]
Union Representative: AFGE 1504	Union POC Info: [REDACTED]

Sworn Statement	Privacy Act Advisement	Rights Waiver Certificate
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Documents Requested:
 None
 Agreed to provide copy of EO filing which resulted in move from DPW to DES.

Interview Notes:

Refer to question/response format on Sworn Statement related solely to hiring action. Any information provided not relevant to sworn statement questions will be listed below this note for future reference/follow up.

1. Concerned with prevalent/widespread unethical practices.
2. Allegations of nepotism in hiring practice. Ex: [REDACTED] girlfriend (now wife) hired over Summer to work Roads and Grounds.
3. Ordered by [REDACTED] to assist select employees write and load resumes.
4. Recommended follow up interviews with [REDACTED] with respect to ethical climate of DPW.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

THORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION [redacted] 33 2. DATE (YYYYMMDD) 2007/04/30 3. TIME 1530 4. FILE NUMBER N/A
5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted] 6. SSN [redacted] 7. GRADE/STATUS GS-05/DA Civilian
8. ORGANIZATION OR ADDRESS Directorate of Emergency Services, Fort Lewis, WA 98433

9. [redacted] (U) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
INTERVIEWER QUESTION: What was your official position title, series and grade when you worked in the Directorate of Public Works (DPW)?
INTERVIEWEE RESPONSE: Secretary JGS05-318 (U)
INTERVIEWER QUESTION: Who was your supervisor?
INTERVIEWEE RESPONSE: [redacted] (U)

INTERVIEWER QUESTION: Did you process the Recruit-Fill Request for Personnel Action (RPA) #WTEU05004308 for Utility Systems Repairer-Operator Supervisor, WS-4742-10?
INTERVIEWEE RESPONSE: Although I do not recall the exact RPA number I do recall processing several actions for that position. I processed a temporary promotion, a perma and then a perm. (U)

INTERVIEWER QUESTION: Did anyone in your management chain of command direct you to notify any specific individual(s) of the vacancy prior to the vacancy announcement being published on the Army Vacancy Announcement Board website?
INTERVIEWEE RESPONSE: Yes [redacted] He told me not to disclose to anyone at the water plant that the position was being announced. He told me this when I was processing the RPA and several other times after. It was well known that there was a vacant position due to [redacted] departure. Water plant employees would frequently ask me to let them know when the position would be open because they did not have computer access at their work location. I told them they could check the website at home and that I had no further information. I also told them that once the announcement was posted and [redacted] authorized me to release the information, I would notify them. I never notified the Water Plant employees of the vacancy announcement because [redacted] instructed me only to notify Al Long to apply. He specifically directed me not to notify [redacted] and I think [redacted] because those were the two guys who frequently stopped by, two to three times per week to ask about the position. He told me to tell them because of the MEO and RO, they are not hiring for that position right now. I did call Al Long from my home on the weekend and left a voice mail letting him know the job was open. I called [redacted] on his work phone in California to let him know. (U)

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF [redacted] PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

INTERVIEWER QUESTION: Did anyone in your management chain of command direct you NOT to notify specific individual(s) of the vacancy prior to the vacancy announcement being published on the Army Vacancy Announcement Board website?

INTERVIEWEE RESPONSE: Yes, [REDACTED] told me not to notify employees at the White plant and to only notify [REDACTED]

INTERVIEWER QUESTION: Did you notify any specific individual(s) of the vacancy prior to the vacancy announcement being published on the Army Vacancy Announcement Board website?

INTERVIEWEE RESPONSE: yes, I called [REDACTED] on the weekend the job opened and left a message on his voice mail. I also called [REDACTED] on his work cell phone to let him know I had notified [REDACTED]

INTERVIEWER QUESTION: Was there anything unusual about the way in which this hiring action was handled?

INTERVIEWEE RESPONSE: yes, usually I send an email out to everyone when a job opens and post a hard copy on the bulletin board in the lunch room of Bldg 2044, Structural Building. I did not do this for this job because [REDACTED] told me not to let anyone know about it. I was pretty new, so I didn't contact CPAC to ask questions or register concerns.

INTERVIEWER QUESTION: Do you have anything to add related to this specific hiring action?

INTERVIEWEE RESPONSE: No, I have no documents because I left everything at DPW and didn't feel it was necessary to retain at the time.

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED Signature] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of April, 2007

at Rm 211, Bldg 2027D, Fort Lewis, WA 98433

[REDACTED Signature] (Signature of Person Administering Oath)

Greta M. Powell

(Typed Name of Person Administering Oath)

AR 15-6 Investigating Officer

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

EXHIBIT 10

TAB 13N



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
HEADQUARTERS, UNITED STATES ARMY GARRISON
BOX 338500, MAIL STOP 38
FORT LEWIS WASHINGTON 98433-8500

January 30, 2007

Equal Employment Opportunity Office

Ms. Joan K. Mell
Law Offices of
Miller, Quinlan & Auther, P.S., Inc.
1019 Regents Blvd, Suite 204
Fircrest, WA 98466

Reference: EEO Complaint of (b)(6) v.
Francis J. Harvey, Secretary of the Army, DA Docket
Number ARLEWIS06NOV04492

Dear Ms. Mell:

This refers to your client's formal discrimination complaint filed on December 21, 2006. It was received in this office on December 26, 2006. Your client's initial contact to initiate counseling was on November 22, 2006. Your client's final interview was conducted telephonically on December 7, 2006, and the Notice of Right to File a Formal Complaint was sent to your office (and to your client's home address) on December 7, 2006. Your office signed for receipt of the Notice of Right to File a Formal Complaint on December 8, 2006. You subsequently provided a copy of the notice signed by your client. A clarification letter was sent by this office on January 8, 2007. Your clarification response was received January 17, 2006.

In your client's formal complaint of discrimination, you/your client alleged discrimination on the bases of race (African American), sex/female (gender) hostile work environment, and reprisal (for her prior EEO activity in reporting to EEO on November 22, 2005, in this complaint and for her supporting witness activity in another employee's EEO complaint filed December 7, 2006, and for your OSHA complaint in September 2006). I note you also had a previous informal EEO complaint initiated 28 September 2006 which you withdrew 13 October 2006.

Based on my review of your client's complaint, chronological history (incorporated by reference to this memo) and your clarification response, and conditioned upon a final decision by the Secretary of the Army, or designee, I have accepted the following issue(s) for investigation:

Bases: Race (African American), Sex/Female (Gender) hostile work environment

Issues: Your client alleges:

(1) Since April 2006 to the present, (b)(6) impaired her promotional opportunities because he has refused and continues to refuse to provide her performance standards and a performance evaluation. She submitted her own performance evaluation to (b)(6) on November 15, 2006 and has not received a response.

(2) She was expected to perform duties above her pay grade. (b)(6) refused to reclassify her position to appropriately compensate her for the work she was performing. Since she began working at PW [on 7 August 2005] she has not received a cash award or incentive pay despite her performance. She was asked to perform tasks outside her job and that were borderline unethical (do resumes for employees, assist with retirement papers for others, backdate two RPAs for details on August 2, 2006, make copies for (b)(6), etc.).

(3) (b)(6), (b)(6), (b)(6), (b)(6) had routinely complained behind her back from December 2005 through October 11, 2006, to (b)(6) about her performance. She was accused March 23, 2006 of deleting her public works personnel data from the computer. On March 28, 2006 she made an effort to attend DTS training, but (b)(6) did not permit her to attend the training. On or about March 29, 2006, she communicated to (b)(6) that she was feeling wrongfully attacked by the other women staff and she was concerned he was not supportive of her. (b)(6) undermined her credibility by soliciting information from her and taking it back to the other women to encourage their hostilities. She was not getting the support she needed from (b)(6) in June 8, 2006 to perform her job when she was criticized by (b)(6) for not signing up all of maintenance and repair division employees on a my box account.

(4) (b)(6) discouraged her from applying for positions. In December of 2005 and in March of 2006 she inquired of (b)(6) about the position of customer service supervisor and he discouraged her from applying and advised the position was going to (b)(6). When (b)(6) position of administrative services specialist was posted, she asked (b)(6) about applying for this position in December of 2005 or thereabouts, and (b)(6) allegedly told her that (b)(6) would not hire her, which discouraged her from applying when the position was announced. Your client alleges (b)(6) told her that (b)(6) did not like her, that (b)(6) gave her too much attention.

(5) (b)(6) advised her of a number of inappropriate circumstances at public works. He spoke of the personal lives of employees, including providing information about their personal activities and medical conditions.

(6) (b)(6) violated her personal space in December 2005 during the canned food drive (she had to tell him to back away) and when she was working in the front office around January 2006. *→ not my words - untrue*

BASIS: Reprisal (Previous Informal EEO Complaint dated September 28, 2006).

Issues: Your client alleges:

(1) Your client alleges retaliation by (b)(6), (b)(6) at Public Works, when he denied her opportunities for advancement by refusing to complete required paperwork of her performance evaluation which she gave to him on November 15, 2006 and still has not received a response.

(2) On or about September 28, 2006, your client alleged that she was never informed that she had a lead nor was she to complete the RPA's by noon at (b)(6) (b)(6) direction.

(3) Late in November 2006 (the year 2005 was stated in error - documents in the file indicate the correct year for this issue is 2006), (b)(6) communicated with the Fire Chief for permanent placement in the secretary position there [i.e. at DES]. The Fire Chief advised that he had a meeting with Paula Wofford to discuss her detail, and since his meeting with (b)(6) no further discussion has taken place with regard to finding her a permanent placement. She is without a permanent detail or position assignment.

All other claims and issues stated in your client's chronology filed in her formal complaint and/or in your clarification response (not specifically identified above as accepted claims) are dismissed. As explained below all other claims and issues are dismissed under 29 C.F.R. Section 1614.107 (a)(2) as untimely, and/or under Section 1614.107(a)(1) for failure to state a claim under 1614.103 or 1614.106(a).

Dismissed under 29 C.F.R. Section 1614.107(a)(2) are all claims and issues stated on page 12 (second paragraph referencing September 11, 2006) through page 13 (fourth paragraph referencing October 3, 2006) of her chronology, matters which were the subject of your client in her first EEO complaint, and through 13 October 2006 (the date she withdrew her first EEO complaint). These issue are dismissed under 29 C.F.R. Section 1614.107(a)(2) as untimely for failure to comply with the applicable time limits contained in 29 C.F.R. Section 1614.106, failure to file a complaint within 15 days of receipt of the Notice of Right to File a Formal Complaint / failure to prosecute.

Specifically, your client previously contacted this office and initiated an informal EEO complaint (No. ARLEWIS06SEP03863) September 28, 2006. She raised issues in that complaint against the Directorate of Public Works (again discussed in your client's chronology on the pages and timeframe cited above). On page 12 of 15 and 13 of 15 on your client's chronology she alleges discrimination occurred from September 2006 through October 2006. Specifically, (1) On or about September 11, 2006, your client experienced significant respiratory problems at work; (2) on or about September 12, 2006, (b)(6) instructed your client to move to the paint shop at the back of the building; (3) on or about September 13, your client was placed on work restrictions to an administrative office environment; (4) on or about September 14, 2006, OSHA communicated to (b)(6) at the Fort Lewis Safety Office that it was not going to conduct an inspection and requested (b)(6) conduct an investigation of your client's worksite; (5) on or about September 19, 2006, your client notified (b)(6) that she had provided him the supervisor's section of her occupational injury claim, CA-2; (6) on or about September 21, 2006, your client continued to suffer respiratory complaints associated with her exposure construction; (7) October 2, 2006, your client notified by (b)(6) that there was discrepancy with her COP report; (8) October 2, 2006, your client received an email documenting air test for asbestos, no vapor testing; and (9) October 2, 2006, Occupational Health made a recommendation to (b)(6) that your client could not work in building under construction. Your client was provided The Notice of Right to File a Formal Complaint of Discrimination after Completion of Traditional EEO Counseling on October 13, 2006 (Enclosed) which gave clear instructions on how to file a formal complaint of discrimination within 15 calendar days of receipt of this notice. After your client was moved to the fire department (DES) on October 11, 2006, she withdrew that EEO complaint on October 13, 2006. On November 14, 2006, your client requested to "reopen" that complaint. The specific issues raised in that complaint are dismissed as claims in this complaint. Your client was clearly aware of those issues, first chose to have them addressed in the EEO complaints process and initiated a complaint, and then expressly withdrew them and that complaint. She was issued a Notice of Right to File a Formal Complaint on the issues raised in that complaint dated September 28, 2006. On October 13, 2006 she sent this office an e-mail formally withdrawing the complaint. That complaint and all issues raised in that complaint are therefore specifically dismissed as claims in this complaint as untimely under 29 C.F. R. Section 1614.107(a)(2).

Dismissed under 29 C.F.R. Section 1614.107(a) (1) for failure to state a claim under 1614.103(a) is your client's claim of reprisal for filing an OSHA complaint in September 2006. This is not protected activity under the purview of EEO.

If you believe that the issues in this complaint have not been correctly identified, please notify me, in writing, within five calendar days after you receive this

memorandum and specify why you believe the issues have not been correctly identified. If you fail to contact me, I will conclude you agree that the issues have been properly identified above. Any statement submitted in this regard will be placed in the complaint file.

Your complaint will be assigned to an investigator for formal investigation of the accepted claims. Once assigned, you will be informed of the investigator's identity and when the investigation is expected to begin. The investigation must be completed within 180 calendar days of the filing of this complaint, unless you agree in writing to extend the period an additional 90 calendar days. In accordance with Title 29, Code of Federal Regulations, Part 1614.108(e), the Army may unilaterally extend the 180-day time period, or any period, of extension, for not more than 30 calendar days when it must sanitize a complaint file which contains classified information. If this need for extension should arise, you will be informed of the extension.

After completion of the investigation and if the case has not been settled, the EEO manager will provide you with the Notice of Post-Investigative Options and a copy of the investigative file and the case file. The Notice of Post-Investigative Options will inform you that you have the right to, within 30 calendar days from your receipt of the notice, request a hearing before an EEOC administrative judge, who will issue a decision subject to final action by the Army, or the right to request that a final Army decision be issued on the record. You may also request a hearing at any time after 180 calendar days have elapsed from the filing of this complaint. If you opt for a hearing, the enclosed Request for a Hearing form should be sent directly to the Seattle District Office of the Equal Employment Opportunity Commission (EEOC). A copy of the Request for a Hearing must be provided to the EEO Office at the address indicated on the Request for a Hearing form.

You may amend a complaint at any time prior to the conclusion of the investigation to include claims like or related to those identified above. When a complaint has been amended, the agency is required to conduct an impartial investigation within the earliest of 180 calendar days after the last amendment of the complaint or 360 calendar days after the filing of the original complaint. You may request a hearing from an EEOC administrative judge after 180 calendar days have passed since the filing of the original complaint if the investigation has not been completed. Prior to a request for a hearing, any amendment must be submitted, in writing, to (b)(6), Equal Employment Manager, for a determination whether the new claim(s) warrant(s) inclusion in the pending complaint or processing as a new complaint. Additionally, after requesting a hearing, you have the right to file a motion with the administrative judge to amend the complaint to include claims like or related to those raised in the original complaint.

If a new claim(s), not like or related to a previously filed complaint, provide(s) the basis for a separate complaint, the new claim(s) will be referred to an EEO counselor and will be subject to all regulatory requirements regarding the EEO complaint process.

In cases where complaints are consolidated, the agency is required to conduct and investigation within the earlier of 180 calendar days after filing the original complaint. However, you may request a hearing from an EEOC administrative judge on the consolidated complaint any time after 180 calendar days from the date of the filing of the first complaint.

If you fail to request an EEOC hearing or to ask for a final decision by the Army within 30 calendar days after you received the report of investigation, the processing of this case will proceed, and I will submit the entire complaint file to the Army Director of EEO or designee for a final Army decision on the merits of the complaint based on the record as it stands.

If you are dissatisfied with the final Army decision/action (with or without a hearing), you may file a notice of appeal to the Equal Employment Opportunity Commission (EEOC), Office of Federal Operations (OFO), P.O. Box 19848, Washington D.C. 20036, within 30 calendar days after receiving the final Army decision/action. A copy of the appeal must be provided to the EEO/Civil Rights Office (Deputy for EEO Compliance and Complaints Review (EEOCCR)), ATTN: SAMR-EO-CCR, 1901 South Bell, Suite 109B, Arlington, VA 22202-4508. Also, you may submit a brief or statement to support your appeal to OFO, with a copy to the activity Equal Employment Manager and to the Director, EEOCCR, within 30 calendar days after filing the notice of appeal. In or attached to the appeal to the EEOC, you must certify that you served a copy of the appeal to the Director, EEOCCR, the date and method of service.

Instead of an appeal to the EEOC, you may file a civil action in the proper U.S. District Court within 90 calendar days after receiving the final Army decision/action or, if the Army has not issued a final decision of this complaint, after 180 calendar days from the date the formal complaint was filed. If you file a civil action under Title VII of the Civil Rights Act of 1964, as amended, or the Rehabilitation Act of 1973, as amended, and you do not have, or are unable to obtain the services of a lawyer, you may request the court to appoint a lawyer to represent you. In such circumstances as the court may deem just, the court may appoint a lawyer and may authorize the commencement of the action without the payment of fees, costs, or security. Any such request must be made within the above referenced 90-day time limit for filing suit and in such form and manner as the court may require.

You are further notified that if you file a civil action, you must name the appropriate Department head or Agency head as the defendant and provide his or her official title. DO NOT NAME JUST THE AGENCY OR DEPARTMENT. Failure to name the Department head or Agency head or to state his or her official title may result in the dismissal of your case. The appropriate agency is the Department of the Army. The head of the Department of the Army is Francis J. Harvey, Secretary of the Army.

If you decide to appeal to the EEOC Office of Federal Operations, you will still have an opportunity to file a civil action in U.S. District Court within 90 calendar days after receiving EEOC's final decision, or 180 calendar days after the date of filing the appeal with the EEOC if there has been no final decision by the EEOC.

The agency representative in this complaint is (b)(6), 1 Corps and Fort Lewis, Office of the Staff Judge Advocate, Civil Law Division, P.O. Box 339500, Mail Stop 69, Fort Lewis, WA 98433-9500, (b)(6) phone number is (253) 967-0788; her facsimile number is (253) 967-0597. You are advised that copies of all official correspondence must be served on the Equal Employment Manager and the agency.

If at any time a settlement or resolution of this complaint is reached, the terms of the settlement/resolution will be agreed to in writing by all parties and you will be given a copy.

A copy of your EEO Counselor's Report, DA 2590, and chronological history are enclosed. Also enclosed is a copy of the previously filed informal complaint dated September 28, 2006.

Sincerely,

(b)(6)

Equal Employment Opportunity
Manager

Enclosures

Copy Furnished:

(b)(6) (b)(6)

Complainant

(b)(6)

Army's Representative

MILLER, QUINLAN & AUTER, P.S., INC.
1019 REGENTS BLVD., SUITE 204
FIRCREST, WA 98466

M E O
1-17-07 11:32 AM

TELEPHONE: (253) 565-5019
FAX: (253) 564-5007
www.mqalaw.com

JOHN A. MILLER
THOMAS P. QUINLAN
GINA M. AUTER

ANDREA M. BOITANO
JOAN K. MELL
ANGELA L. OLSEN

January 15, 2007

(b)(6)

Equal Employment Opportunity Manager
Department of the Army
Installation Management Agency
Headquarters, United States Army Garrison
Box 339500, Mail Stop 36
Fort Lewis, WA 98433-9500

RE: The related claims of (b)(6)
Numbers ARLEWIS06NOVO4312; ARLEWIS06NOV04492;
ARLEWIS06NOV04311

Dear (b)(6):

This letter concerns your correspondence of January 8, 2007, received in this office on January 10, 2007. Your questions are disconcerting to my clients who understand the equal employment office is supposed to function to protect them from harassment, retaliation, and discrimination in their work environment. The content of your correspondence suggests significant efforts to dissect the three related cases into the smallest issue plausible and then attack it on a procedural challenge that has no merit. (b)(6)

(b)(6) have been working in a hostile work environment where management encourages retaliation and would appreciate the support of the administrative process established for their benefit. Each has reported her concerns within forty five days of her last detail notice. When the administrative efforts are meaningless, then they are forced to litigate their concerns. They would prefer to work cooperatively to achieve needed changes, rather than being forced to pursue relief from the courts and other venues. We hope you reconsider your approach to these cases and provide assistance in having their concerns investigated. We appreciate your acceptance of the retaliation and harassment/hostile work environment claims of (b)(6) and encourage consideration of the claims in their entirety, rather than reviewing the facts out of context and with blinders on.

With respect to your intent to dismiss the claims because you have not received the original signature of each claimant on your Notice of Right to File for Formal Complaint, we dispute your contention that you need such signature to proceed. Your receipt of an original signature is not "relevant information" under 29 CFT 1614.107(a)(7). Such a contention is a clear example of form over substance. As indicated in your correspondence, there is no question that my clients have received the notice and have responded to the notice in a timely manner.

(b)(6)

January 15, 2007

Page 2

This is documented by their filing a formal complaint as well as by their acknowledging their receipt of the information. We have told you that they received the information, and your certified return receipt mail confirms they received the notice. Upon receipt we filed a formal action, which would eliminate any issue regarding the notice. Without waiving my client's objection to your request for the signatures, we are again providing you the signatures pages to your notice. *See attached.*

With regard to your inquiries regarding this. Since, Patricia Robinson has currently impaired (b)(6) promotional opportunities because he has refused and continues to refuse to provide her standards and a performance evaluation. She has not received any cash awards or incentive pay, despite her ongoing performance. His misconduct pertains to the present time back to her initial date of employment. The first time he refused to provide her standards and an evaluation was in April 2006, and continues to the present date. (b)(6) submitted her own performance evaluation to (b)(6) on November 15, 2006 and still has not received a response. Further during the course of her employment, (b)(6) required her to perform activities outside her pay grade and refused to reclassify her position to appropriately compensate her for the work she was performing. This occurred daily. (b)(6) routinely requested a desk audit, but (b)(6) did not follow through as late as December, 2005. Late in November 2005, (b)(6) (b)(6) communicated with the Fire Chief for permanent placement in the secretary position there and he advised that he had a meeting with (b)(6) to discuss her detail. Since his meeting with (b)(6) no further discussion has taken place with regard to finding (b)(6) a permanent placement. (b)(6) has not received a cash award. She remains in a position that is not a permanent assignment because her detail was revoked after she was transferred upon withdrawal of her EEO complaint. Since that time her 120 detail is soon to expire and she is without a permanent detail or position assignment.

In December of 2005 and in March of 2006, (b)(6) inquired of (b)(6) about the position of customer service supervisor. (b)(6) discouraged her from applying and advised that the position was going to (b)(6). When (b)(6) position of administrative services specialist was posted, (b)(6) asked (b)(6) about applying for the position in December of 2005 or thereabouts, and (b)(6) told her that (b)(6) would not hire her. This discouraged (b)(6) from applying when the position was announced. (b)(6) told her (b)(6) did not like her, and told her that (b)(6) gave her too much attention. (b)(6) did violate her personal space and (b)(6) had to tell him to back away. This happened at the canned food drive in December of 2005, and when she was working in the front office around January of 2006 and the resulting discrimination has continued to the present date. (b)(6) noted at the time of the food drive that (b)(6) was observing (b)(6) inappropriate conduct with displeasure. This has created a hostile work environment for (b)(6) (b)(6) who is not favored by management.

With respect to the hostilities of (b)(6) (b)(6) (b)(6) and (b)(6) (b)(6) these women routinely complained behind (b)(6) back from December 2005 through October 11, 2006 to (b)(6) about (b)(6) performance; however, (b)(6) (b)(6) determined by the information she provided to (b)(6) that (b)(6) was not addressing the merits of her performance, but instead was soliciting input from (b)(6) which he then would take back to the three women to encourage their hostilities. (b)(6) determined (b)(6) was undermining her because she suspected he was doing this and to confirm her suspicions, she made up stories and told the stories to (b)(6), which she then heard back he had told to (b)(6) and (b)(6).

Ultimately, after (b)(6) reported the safety issues at 2044 due to the construction, (b)(6) made a concerted effort to exclude her and limit her ability to perform or contribute in her position. She was sent to the back of the building at the sign shop in September approximately the 11th and he did not have any meaningful communication with her again. She was moved on October 11, 2006 to the fire department and continues to have no meaningful placement.

... personnel and he was showing her his selection of who was going to be assigned where based upon his input. He was making his recommendations for who should go where. He would write the persons name by the position where he wanted them placed. He made a concerted effort to place his male favorites in permanent positions, or positions where the man would not be impacted by the reduction in force. (b)(6) knowledge of (b)(6) misconduct directly impacts (b)(6) who is a woman in the very male blue collar public works environment who is not favored by (b)(6) and has not been placed in a permanent position.

(b)(6)

January 15, 2007

Page 5

All three women have filed a complaint with EEO within forty-five days of their last detail notice, making their complaints that Public Works discriminates against women, and particularly women working in the blue collar side, timely. The reduction in force process disparately impacts women because the criteria used favor veterans, who are typically male, (b)(6) (b)(6) veteran status from her husband was completely "overlooked," period of service, meaning the men have more years in service, particularly in the blue collar sector where there have never been any women; and, performance, which is controlled by the male management who dictate who gets rated and how high. Further, the male management is promoting the men they want and making positions available to men, not women, unless they are sleeping with them or have a history of getting what they want out of them. No women who have gone to EEO or who have refused to play management's games have been promoted. Public Works suffers serious problems that should be thoroughly investigated. Both (b)(6) and (b)(6) want to return to work in a safe work environment, but absolutely no concessions have been made by management to establish a protective protocol for either employee after they were threatened with serious consequences if they did not stop reporting their concerns. Further, the only response management has ever made is to move these women around. The women have routinely been asked to change their jobs, and have been asked to do so in this case. In fact, both (b)(6) and (b)(6) have been asked to transfer out of public works and return to DOL, where the harassment first began. The statistics referenced in the complaint should be evaluated and considered in these disparate impact, hostile work environment claims.

Very truly yours,
MELLER, GUTNLAN & AUTER, P.S., INC.


Joan K. Mell

JKM:dm

cc: Alix Kettleison

Enclosures:

- 1) Original signature pages of (b)(6), (b)(6) and (b)(6) to Notice of Right to File Formal Complaint;
- 2) ~~July 10, 2006 letter from DOA-EEO to (b)(6)~~
- 3) ~~(b)(6) Report~~
- 4) Photo of management including (b)(6);
- 5) ~~Photo of ogging incident~~
- 6) Photo of (b)(6) and (b)(6);
- 7) ~~Threatening letters~~
- 8) ~~Order from USMSPB dated Dec-8, 2006~~

IMNW-LEW-EEO

SUBJECT: Notice of Right to File a Formal Complaint of Discrimination after Completion of Traditional EEO Counseling

d. Secretary of the Army
ATTN: SAMR-EO-CCR
1901, Suite 109B
Arlington, VA 22202-4508

4. The formal complaint must specify the claim(s) and the basis(es) of the complaint discussed during the counseling session(s). It is important that you state the incident(s) that caused you to initiate your complaint as concisely as possible, citing the nature of the action, the date of the action, and the person(s) involved. You may only raise claim(s) and incident(s) discussed, or like or related to those discussed, during counseling. The complaint should also state whether you have filed a grievance under a Negotiated Grievance Procedure or an appeal to the Merit System Protection Board, on the same subject matter, including dates. This information is necessary to determine whether your complaint is appropriate for processing under Title 29, Code of Federal Regulations, Part 1614.

5. If you retain an attorney or any other person as a representative, you must immediately notify the EEO officer, in writing, of the name, address, and telephone number of your attorney or representative. See the address shown in paragraph 3a for address of EEO office. You are advised that:

a. Unless you state otherwise in writing, after receipt of written notice of the name, address, and telephone numbers of your representative, service of all documents will be with the representative, with a copy furnished to you.

b. If your representative is an attorney, service of all official correspondence will be made on the attorney with a copy furnished to you, however, time frames for the receipt of correspondence will be computed from the date of receipt by the attorney.

6. You and/or your representative will receive a written acknowledgement of receipt of your formal discrimination complaint from the EEO officer.

(b)(6)

EEO Counselor

Atch
DA Form 2590

(b)(6)

(Signature of Aggrieved)

(Date Received by Aggrieved)





*** UNITED STATES POSTAGE
197 5 PB8583563
6566 # 02.31^D JAN 15 07
7280 MAILED FROM TACOMA, WA 98466

Rec'd 1/17/07

Classification Response

LAW OFFICES OF
MILLER, QUINLAN & AUTER, P.S., INC.
1019 REGENTS BLVD.
SUITE 204
FIRCREST, WA 98466

TO

(b)(6)

Equal Employment Opportunity Manager
Department of the Army
Installation Management Agency
Headquarters, U.S. Army Garrison
Box 339500, Mail Stop 36
Fort Lewis, WA 98433-9500

1019 Regents Blvd., Ste. 204
Fircrest, WA 98466
Tel: 253-565-5019
Facsimile: 253-564-5007

*Miller, Quinlan & Anter,
P.S., Inc.*

Fax

To: (b)(6) From: Joan K. Meil

Fax: 253.967.4696 Pages: 51 pages including cover page

Phone: 253.967.5608 Date: January 15, 2007

Re: (b)(6)

Urgent For Review Please Comment Please Reply

● **Comments:**

CONFIDENTIALITY NOTICE: The documents accompanying this facsimile transmission contain information belonging to Miller Quinlan & Anter PS Inc., which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for the return of the original documents to us.

If you do not receive all of the pages, please contact our office.

fax sent incomplete

MILLER, QUINLAN & AUTER, P.S., INC.
1019 REGENTS BLVD., SUITE 204
FIRCREST, WA 98466

ca

JOHN A. MILLER
THOMAS F. QUINLAN
JINA M. AUTER

TELEPHONE: (253) 565-5019
FAX: (253) 564-5007
www.mqslaw.com

ANDREA M. BOITANO
JOAN K. MELL
ANGELA L. OLSEN

December 21, 2006

*Via Certified Mail - Return Receipt Requested
and Via E-mail*

(b)(6)

EEO Specialist
Department of the Army
U.S. Army Garrison
Box 339500, Mail Stop 36
Fort Lewis, WA 98433-9500

RE: (b)(6) Docket No. ARLEWIS06NOV04312
(b)(6) Docket No. ARLEWIS06 NOV04311
(b)(6) Docket No. ARLEWIS06NOV04492

Dear Ms. (b)(6):

Enclosed please find a Formal Complaint of Discrimination for (b)(6) (b)(6)
(b)(6) and (b)(6). Please acknowledge receipt of these complaints via fax or e-mail to
us at your earliest convenience.

Very truly yours,
MILLER, QUINLAN & AUTER, P.S., INC.

Joan K. Mell
Joan K. Mell

JKM:dm
Enclosures

CERTIFIED MAIL



7004 0750 0002 4354 9857

UNITED STATES POSTAGE
162
65268 14.40 PB8583563
6677 MAILED FROM TACOMA, WA DEC 21 06 98466

LAW OFFICES OF
MILLER, QUINLAN & AUTER, P.S., INC.
1019 REGENTS BLVD.
SUITE 204
FIRCREST, WA 98466



(b)(6)

EEO Specialist
Department of the Army
U.S. Army Garrison
Box 339500, Mail Stop 36
Fort Lewis, WA 98433-9500

(b)(6)

From: (b)(6)
Sent: Thursday, December 21, 2006 1:58 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: (b)(6)

Good afternoon (b)(6) :

Thanks, (b)(6). I'm forward the attached documents to (b)(6), Complaints Manager. Please contact (b)(6) for any additional information or questions. You can reach her at 253-966-0500 or email (b)(6)

Happy Holidays!

-----Original Message-----

From: (b)(6)
Sent: Thursday, December 21, 2006 1:30 PM
To: (b)(6)
Subject: (b)(6)

Attached please find copies of the formal complaints (Form 2590) for (b)(6) (b)(6) (b)(6). Hard copies of the complaints (with attachments and exhibits) are being mailed to you today. Please call if you have any questions or need further information.

Darla Moran, Paralegal

Miller Quinlan & Auler, P.S., Inc.

1019 Regenta Blvd., Suite 204

Fircrest, WA 98466

Tel: 253.565.5019

Fax: 253.564.5007

FORMAL COMPLAINT OF DISCRIMINATION

For use of this form, see AR 600-900; the proponent agency is OSA

PRIVACY ACT STATEMENT (5 U.S.C. 552b)

AUTHORITY: Public Law 92-281

PRINCIPAL PURPOSE: Used for formal filing of complaints of discrimination because of race, color, national origin, religion, sex, age, physical or mental disability, and/or reprisal by Department of the Army civilian employees, former employees, applicants for employment, and some contract employees.

ROUTINE USES: Information will be used (a) as a data source for complaint information for production of summary descriptive statistics and analytical studies of complaints processing and resolution efforts; (b) to respond to general requests for information under the Freedom of Information Act; (c) to respond to requests from legitimate outside individuals or agencies (Congress, White House, Equal Employment Opportunity Commission) regarding the status of an EEO complaint or appeal; or (d) to adjudicate an EEO complaint or appeal.

DISCLOSURE: Voluntary, however, failure to complete all appropriate portions of the form may lead to rejection of complaint on the basis of inadequate data on which to continue processing.

1. NAME (Last, First, Middle Initial) (b)(6)	2. SOCIAL SECURITY NUMBER (b)(6)	3. HOME TELEPHONE NUMBER (b)(6)
4. HOME ADDRESS (b)(6)	5. DO YOU CURRENTLY WORK FOR THE FEDERAL GOVERNMENT? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>(If yes, complete 6, 6a, 6b, 7 and 8.)</i>	
6. NAME OF AGENCY WHERE CURRENTLY EMPLOYED <p style="text-align: center;">Dept. of the Army</p>	6a. WORK TELEPHONE NUMBER (b)(6)	
6b. EMPLOYER'S ADDRESS (Complete information to include office symbol.) <p style="text-align: center;">Fort Lewis, WA</p>	7. PAY PLAN/SERIES/GRADE <p style="text-align: center;">GS-318-05</p>	
	8. CURRENT JOB TITLE <p style="text-align: center;">Maintenance & Repair Div. Secy.</p>	

SECTION I - COMPLAINT INFORMATION

9. REASON YOU BELIEVE YOU WERE DISCRIMINATED AGAINST (Check below all that apply. Identify specific race, color, sex, age, religion, national origin, and/or disability.)

RACE (b)(6) SEX Male Female AGE _____

DATE OF BIRTH _____ NATIONAL ORIGIN _____ RELIGION _____

DISABILITY Mental _____ Physical _____ REPRISAL See below
(Detail and type of prior EEO activity)

10. EXPLAIN WHEN AND HOW YOU WERE DISCRIMINATED AGAINST (If your complaint involves more than one basis of alleged discrimination, list and number each basis separately and provide specific factual information in support of each allegation of discrimination. If necessary, continue on page 2.)

#9: Filed OSHA Complaint on September 7, 2006.
Reported to EEO on November 22, 2006.

(b)(6)
(b)(6)

~~SEE ALSO FORMAL COMPLAINTS OF DISCRIMINATION FILED CONCURRENTLY BY (b)(6)~~

EXPLAIN WHEN AND HOW YOU WERE DISCRIMINATED AGAINST (Cont'd) (If necessary, additional sheets may be used.)

11a. NAME OF ORGANIZATION WHERE ALLEGED DISCRIMINATION OCCURRED

Dept. of the Army

11b. ADDRESS OF ORGANIZATION WHERE ALLEGED DISCRIMINATION OCCURRED

Fort Lewis, WA

12a. HAVE YOU DISCUSSED THE ISSUE (IN BLOCK 10 WITH AN EEO COUNSELOR) (2c. and 12d below.) NO YES (If yes, complete 12b, 12c, and 12d below.)

12b. NAME OF EEO COUNSELOR

(b)(6)

12c. DATE OF INITIAL CONTACT WITH EEO OFFICIAL (YYYYMMDD)

Nov. 22, 2006

12d. DATE NOTICE OF RIGHT TO FILE A FORMAL COMPLAINT OF DISCRIMINATION RECEIVED (YYYYMMDD)

2006 12 08

13. ELECTION OF REPRESENTATION

ATTORNEY NON-ATTORNEY NO REPRESENTATION

NAME OF REPRESENTATIVE Joan K. Mell

ADDRESS 1019 Regents Blvd., Suite 204, Fircrest, WA 98466

TELEPHONE NUMBER: 253-565-5019 FAX: 253-564-5007 E-MAIL: joan@mgcalaw.com

14. WHAT RELIEF ARE YOU SEEKING TO RESOLVE THIS COMPLAINT? (State specific corrective action desired for each allegation.)

Please see attached.

15a. HAVE THE ISSUES IDENTIFIED IN BLOCK 10 BEEN APPEALED TO THE MERIT SYSTEMS PROTECTION BOARD (MSPB) OR FILED UNDER A UNION NEGOTIATED GRIEVANCE PROCEDURE? NO YES (If yes, complete 15b, 15c, and 15d below.)

15b. MSPB UNION NEGOTIATED GRIEVANCE

15c. DATE FILED (YYYYMMDD)

15d. MSPB OR UNION DOCKET NUMBER (If Applicable)

16. LIST NAME(S) OF WITNESS (S) AND BRIEFLY STATE WHAT INFORMATION WITNESS MAY CONTRIBUTE TO THE INVESTIGATION OF YOUR COMPLAINT.

Please see attached.

(b)(6)

17a. SIGNATURE

(b)(6)

17b. DATE DA FORM 2890 SIGNED BY COMPLAINANT (YYYYMMDD)

12/20/06

SECTION II - TO BE COMPLETED BY THE PROCESSING EEO OFFICER (EEOO)

18a. NAME OF COMPLAINANT (b)(6)	18b. SOCIAL SECURITY NUMBER (b)(6)	18c. DA DOCKET NUMBER
18d. DISCRIMINATED NAME OR EEOO (b)(6)	18e. ADDRESS OF EEO OFFICE (Complete address to include office symbol) I CORPS and FORT LEWIS ATTN: IMNW-LEW-EEO POB 339500 M/S 36 FORT LEWIS, WA 98433-9500	
18f. EEOO TELEPHONE NUMBER (b)(6)		
(b)(6)		
18g. HOME MAIL ADDRESS (b)(6)	18h. (b)(6)	

19a. DATE COMPLAINT RECEIVED (YYYYMMDD) 2006 12 26	19d. METHOD OF DELIVERY <input type="checkbox"/> IN PERSON <input type="checkbox"/> FAX <input checked="" type="checkbox"/> MAIL (postmark date/ YYYYMMDD) 2006 12 21 <input checked="" type="checkbox"/> OTHER email 2006 12 21
19c. DATE COMPLAINT DEEMED FILED (YYYYMMDD) 2006 12 21	
19e. DATE COMPLAINT ACCEPTED OR DISMISSED (YYYYMMDD) 2007 01 30	

20. IDENTIFY ISSUES IN BLOCK 10 BY PLACING AN A FOR ACCEPTED OR A D FOR DISMISSED IN APPLICABLE BOX(es)

	APPOINTMENT/HIRE		EXAMINATION/TEST		REINSTATEMENT
	ASSIGNMENT OF DUTIES	A	EVALUATION/APPRaisal		REPRIMAND
A	AWARDS	A	HARASSMENT (non-sexual)		RETIREMENT/CONSTRUCTIVE DISCHARGE/RESIGNATION
	CONVERSION TO FULL TIME		HARASSMENT (sexual)		SUSPENSION
R	DETAIL		PAY/OVERTIME		TERMINATION
	DEMOTION		PROMOTION/NDN-SELECTION		TIME AND ATTENDANCE
	DISCIPLINARY ACTION (other)		REASSIGNMENT-REQUEST DENIED		TRAINING
	DUTY HOURS		REASSIGNMENT-DIRECTED		TERMS/CONDITIONS OF EMPLOYMENT

D OTHER (Specify) OSHA claim stemming from previous EEO complaint filed 28 Sep 2006.
ARLEWS 06 SEP 03 563

21. REMARKS

10. Explain when and how you were discriminated against.

(b)(6) has been harassed and mistreated by her boss (b)(6) when he learned that she would not cover his improprieties and she made a report of hazardous conditions in her workplace. A chronology of events related to (b)(6) were previously submitted to the EEO office and are incorporated herein by reference. The improprieties include performing work and duties above her schedule and grade, refusing to reclassify her position to comport with what she was asked to do, preparing resumes for employees, back dating personnel actions, manipulating job postings and notifying the desired applicant of postings. (b)(6) routinely shared personal and medical information regarding employees without their consent. He required (b)(6) to work in an open space in a building under construction where contaminants in the air were so prevalent the dust accumulated daily on her desk. She was denied the use of an office with proper ventilation and protection. When she suffered debilitating respiratory problems he moved her into the sign shop next to the paint booth where toxic fumes and vapors were prevalent. Rather than examine the premises for toxic vapors and particulate, the dust was examined for asbestos only. (b)(6) denied her any cash awards or opportunity for advancement. He refused to complete required paperwork. He has damaged (b)(6) promotional opportunities and priority in any reduction in force action.

(b)(6) is currently reporting to work at the fire department where her year-long detail has been revoked and she has no performance standards and has never had a performance evaluation. She has been denied an opportunity for permanent placement and is not being treated fairly or appropriately by public works. She was moved to the fire department following an EEO complaint, but the detail was revoked upon her dismissal of her EEO complaint. She is being retaliated against because of her reports of impropriety, and she is being mistreated in an effort to cause her to voluntarily relinquish her employment.

This EEO investigation should include examination of the following as well as the submittals to the EEO office from the date of filing the initial complaint:

1. The numerical statistics regarding women in blue collar positions at public works.
2. The numerical statistics regarding women affected by the RIF compared to men.
3. Job description
4. Performance standards
5. Performance appraisals
6. All informal and formal details
7. Performance and incentive awards, by gender and age
8. Service computation dates

9. Standard form 50's
10. Pay scales
11. Statistics on the title, service and grade of public works employees by gender, race, age and pay.
12. Attached threats and communications with the EEO office.

14. **What relief are you seeking to resolve this complaint?**

Dismissal or demotion of (b)(6) Injunctive relief to prohibit future misconduct and retaliation. An ability to report to work and perform job functions without retaliation or harassment. Compensation to include lost wages and benefits, medical expenses, out-of-pocket expenses, impairment to earning capacity, general pain and suffering, punitive damages, attorney's fees and costs, and an apology.

16. **List of Witnesses.**

See *Chronology of Adverse Employment Actions Involving Department of Defense Employees Cynthia Winston, (b)(6) and Pamela Rodriguez*, with attached Exhibit 24, submitted to EEO on December 7, 2006.

(b)(6)

(b)(6) is a 43-year-old (b)(6) female who has been employed as a secretary Pay Plan GS, Occ Code 0318, Grade/Level 05, since August 7, 2005. She was hired by (b)(6) (b)(6) to act as the Public Works Maintenance & Repair Division Secretary.

(b)(6) has a bachelor's degree in business administration. Her resume is attached as Exhibit 22.

On or about March 23, 2006, (b)(6) was accused of deleting her public works personnel data from the computer. There was no rational basis for this accusation.

On or about March 28, 2006, (b)(6) made an effort to attend DTS training, which would help her in her position. (b)(6) explained to her that she could not attend the training because no room was available. (b)(6) had confirmed the availability of space to attend the training prior to requesting registration and was advised that she was welcome to attend the classes and that twelve spots were open.

On or about March 29, 2006 (b)(6) communicated to (b)(6) that she was feeling wrongfully attacked by other women staff. She was concerned that (b)(6) was not supportive of her and that he was facilitating the other women's complaints and undermining her credibility with them. (b)(6) recognized that (b)(6) would solicit information from (b)(6) and then take it to the other women, using the information out of context and in a manner that generates hostilities.

On or about April 13, 2006, (b)(6) asked (b)(6) to complete her standards.

On or about June 8, 2006 (b)(6) confirmed in e-mail that she was not getting the support she needed from (b)(6) in order to perform her job. She was criticized by (b)(6) because she did not sign up all of maintenance and repair division employees on a my biz account. The circumstances in which she was expected to perform this function were impossible to perform. Most of the employees are computer illiterate and have no interest in signing up to use a computer on a voluntary basis. The employees were not interested in a my biz account. However, (b)(6) was criticized for not being proactive and was the only secretary who was criticized for performance on this issue despite its lack of popularity.

On or about August 2, 2006, (b)(6) notified (b)(6) that pursuant to his instructions she generated two RPAs and back-dated them. Requests such as this were not unusual. (b)(6) was often directed by (b)(6) to perform tasks outside her job functions and that were borderline unethical. (b)(6) deliberately and intentionally had (b)(6) contact an individual and notify him that a position was going to be posted and then quickly close the posting without notifying other interested applicants of the posting.

By Email

She routinely performed tasks at a level above her grade and pay without proper compensation. She was writing resumes for employees. If an employee needed a letter typed, even if personal, she was asked just to do it. Several other examples of work performed above her pay and grade can be provided.

On or about September 11, 2006, (b)(6) experienced significant respiratory problems at work. She went to the doctor. She had been situated in a building under construction and left in an open area without proper heating and ventilation. Her desk was covered daily in dust and particulate that she was expected to wipe off her computer. Office space was available, yet she was asked to work near the front door in an open area exposed to all of the fumes and construction in the building.

On or about September 12, 2006, (b)(6) instructed (b)(6) to move to the paint shop at the back of the building. She is left isolated back in an area where fumes were prevalent. She was isolated and left alone with no communication from (b)(6) at all. He refused to communicate with her since the date of her injury. The only thing (b)(6) has ever said to (b)(6) since she reported her work related injury and reported to OSHA concerns of public safety in the building is an inquiry regarding the number of days she missed from work and one inquiry regarding an individual's railroad certification.

On or about September 14, 2006, OSHA communicated to (b)(6) at the Ft. Lewis Safety Office that it was not going to conduct an inspection and requested (b)(6) conduct an investigation of (b)(6) worksite.

On or about September 13 to 27, 2006, (b)(6) was placed on work restrictions to an administrative office environment where she would not be exposed to "fumes, vapors, noxious smells, or heavy dust."

On or about September 19, 2006, (b)(6) notified (b)(6) that she had provided him the supervisor's section of her CA-2, her occupational injury claim, for his completion. (b)(6) did not respond.

On or about September 21, 2006, (b)(6) continued to suffer respiratory complaints associated with her exposure to construction particulate while stationed in an enclosed old building under construction. (b)(6) confirmed that air quality testing was not performed at the time of her complaints on the air where she was exposed.

On or about September 28, 2006, (b)(6) was cc'd on an e-mail from Gary Ellerbrock sent to Steven Perrenot that advised (b)(6) (b)(6) acknowledged that the RPA's and Clearance Forms will be done by noon today." At 11:20 a.m., (b)(6) was still unable to complete the task because of computer problems. At noon, (b)(6) e-mailed the individuals on the Ellerbrock e-mail advising that she could not complete the task due to the computer. (b)(6) responded to her e-mail in a critical manner. He claimed she had been assigned the task by (b)(6) and that she was bothering him and CPAC with matters that were the responsibility of (b)(6). This was news to (b)(6) who had

never been told (b)(6) was her lead, nor that she was to complete the RPA's by noon at (b)(6) direction.

On or about October 2, 2006, (b)(6) was notified by (b)(6) that there was a discrepancy with (b)(6) COP report. (b)(6) is her timekeeper. (b)(6) inquired why (b)(6) coded N(b)(6) as a LT for two days.

On or about October 2, 2006, (b)(6) received an e-mail documenting the only air sampling performed by Industrial Hygiene was to test for asbestos. No vapor testing or other particulate was examined. See request for lab services, Exhibit 23.

On or about October 2, 2006, (b)(6) heard from Ann Albert at Occupational Health that (b)(6) made a recommendation to (b)(6) that (b)(6) could not work in the building under construction and was forced to seek assistance from (b)(6) to help with enforcement of (b)(6) recommendation.

On or about October 3, 2006, (b)(6) is detailed to PD 96300 by (b)(6).

On or about October 18, 2006, (b)(6) detail to the fire department is cancelled. No one communicated to (b)(6) about the cancellation.

On or about November 6, 2006, (b)(6) confirmed with (b)(6) that (b)(6) (b)(6) had never provided her work standards or performance objectives. (b)(6) asked him several times for such standards, but (b)(6) simply did not do them. When it came time for her performance evaluation in November, (b)(6) refused to provide a performance evaluation despite being reminded of his obligation to do so. His failure to so provide damages (b)(6) promotional opportunities and consideration for cash awards, it further affects her compensation.

On or about November 15, 2006, (b)(6) completed her own performance evaluation and forwarded it to Jim Ahrens and to (b)(6). Neither person responded.

On or about November 2006, (b)(6) had inquired of available positions in the Fire Department and was working with her current supervisor to obtain a position. When her supervisor went to (b)(6) and (b)(6), any discussion as to a permanent position ended. During the course of her time working with (b)(6), he discouraged her from applying for positions that would suit her credentials. He would explain that certain positions were for certain people.

On or about December 4, 2006, (b)(6) spoke to (b)(6) at West CPOC who advised her that her placement was cancelled because it was not in accordance with standard operating procedures. As a result, (b)(6) does not have a permanent placement.

During (b)(6) time working with (b)(6), he advised her of a number of inappropriate circumstances at public works. He explained to her that (b)(6) was

"playboy" and that he gets "frisky" with the ladies, similar to (b)(6) . He often spoke about the personal lives of employees, including providing information about their personal activities and medical conditions. He explained that (b)(6) and (b)(6) had been accused of having an affair and that they had been caught in one of the offices on base engaged in sexual activity. He routinely spoke about others and often seemed to solicit information that he could gossip about and use against others to maintain a level of authority or power over others. He abused his power in the reduction in force process. He would actively review available positions and find placements and make placement recommendations for individuals he wanted to protect. For individuals who are not wanted, such as (b)(6), the strategy has been to find a short-term placement that expires and then at the end of the term the employee can be terminated because none of the permanent positions are left open. *not my words*

Other employees have suggested that (b)(6) would never progress or promote to a level of management or to a level commensurate with her abilities and credentials because she is black, and clearly women of color have not been given management responsibilities within Public Works. She has been denied any cash awards.

A list of witnesses who can testify on behalf of (b)(6) is attached as Exhibit 24.

SUMMARY

The above three women submit that their employment at Public Works has violated their civil rights. In particular, these women have suffered hostile work environments where they have been subjected to inappropriate physical contact, suggestive and degrading comments, threats and hostilities. When inappropriate conduct is reported, the women are moved or transferred. The men whose actions are unacceptable are permitted to keep their positions with little or no repercussions.

There are disparate standards for the men from the women. Statistically, there are few, if any, women in management in the blue collar sector of public works.

From the top down there are serious concerns regarding the propriety of male-female interaction. The top supervisor requested a dating relationship with (b)(6) . The one woman manager is reportedly physically involved with the top manager. Supervisors are allowed to solicit personal relationships from staff and then lower level employees are permitted to degrade and minimize the value of the women. The claims of each of these women are unique; however, each evidences a chronic situation of sexual harassment and civil rights violations. The above represents a summary of the circumstances affecting each of these women. Several instances of misconduct can be described and explained by each of these women in person.

Clayton

Group Services

**REQUEST FOR LABORATORY
ANALYTICAL SERVICES**

Page: _____

For Clayton Use Only

Lab Project No. _____



Report results to: **Madigan Army Medical Center** Client Project Number: _____
 Name: **AT&T MCNT-PV-TH**
 Company: **99268 East Hwy Street**
 Mailing Address: **Tacoma WA 98431**
 City, State, Zip: **Tacoma WA 98431**
 Telephone No. (206) 968-4887 Fax No. (206) 968-4825

(b)(6)
 Send invoice to: P.O. No. **44425**
 Name: (b)(6)
 Company: **DoD US Army, Ft. Lewis**
 Address: **Ft. Lewis**
 City, State, Zip: **Tacoma WA 98431**
(206) 377-4908



Samples are:
 Drinking water _____
 Groundwater _____
 Wastewater _____

Enter a "P" here if preservative added.

H395707 (R06244)	10/3/06	0915-1111	CE	1693	Air / Asbestos	PCM
H399282 (R06245)		N/A		N/A	Air / Asbestos	PCM
H399271 (R06246)		N/A		N/A	Air / Asbestos	PCM

Collected by: (b)(6) Date/Time _____
 Relinquished by: (b)(6) Date/Time _____
 Relinquished by: _____ Date/Time _____
 Method of Shipment: (b)(6)
 Authorized by: _____ Date/Time: 10/6/06 (Signature MUST accompany request!)

Collector's Signature: (b)(6) Date/Time 10/3/06
 Received by: (b)(6) Date/Time 10-6-06 8902
 Received by: (b)(6) Date/Time 10/6/06
 Sample Condition on Receipt:
 Acceptable Other: _____ (Explain)



Ship to:

PRELIM. EMAIL TO (b)(6) @ 10-07 10/6/06 H

EXHIBIT 23

EEO COUNSELOR'S REPORT

For use of this form see AR 69D-600, the proponent agency is OSA

1. DA DOCKET NUMBER

ARLEWIS06NOV04492

PRIVACY ACT STATEMENT (5 U.S.C. § 552a)

AUTHORITY: Public Law 92-261

PRINCIPAL PURPOSE: Used for processing of complaints of discrimination because of race, color, national origin, religion, sex, age, physical or mental disability, and/or reprisal by Department of Army civilian employees, former employees, applicants for employment and some contract employees.

ROUTINE USES: Information will be used (a) as a data source for complaint information for production of summary descriptive statistics and analytical studies of complaints processing and resolution efforts; (b) to respond to general requests for information under the Freedom of Information Act; (c) to respond to requests from legitimate outside individuals of agencies (White House, Congress, Equal Employment Opportunity Commission) regarding the status of a complaint or appeal; or (d) to adjudicate complaint or appeal.

DISCLOSURE: Voluntary, however, failure to complete all appropriate portions of the form may lead to delay in processing and/or rejection of complaint on the basis of inadequate data on which to continue processing.

SECTION I - PRE-COMPLAINT INTAKE INTERVIEW

2. NAME OF AGGRIEVED (Print-Last, First, Middle Initial) (b)(6)	3. SSN (b)(6)	4. JOB TITLE Secretary (Office Automation)
--	------------------	---

5. PAY PLAN/SERIES/ GRADE GS-0318-05	6. DUTY ORGANIZATION (Complete address including office symbol) Directorate of Public Works (Detailed to Fire and Emergency Services Division) Maintenance & Repair Division Fort Lewis, WA 98433
---	--

7. WORK TELEPHONE 2(b)(6)	8. HOME TELEPHONE (b)(6)	9. HOME ADDRESS (b)(6)
------------------------------	-----------------------------	---------------------------

10. DATE OF ALLEGED DISCRIMINATORY ACTION (YYYYMMDD)	11. 43 rd CALENDAR DAY AFTER EVENT (YYYYMMDD) 20070105	12. REASON FOR DELAYED CONTACT BEYOND 45 DAYS, IF APPLICABLE N/A
--	--	---

13. DATE OF INITIAL CONTACT WITH EEO OFFICIAL (YYYYMMDD) 20061122	14. 30 th CALENDAR DAY AFTER INITIAL CONTACT WITH EEO OFFICIAL (YYYYMMDD) 20061221	15. 90 th CALENDAR DAY AFTER INITIAL CONTACT WITH EEO OFFICIAL (YYYYMMDD) N/A	16. DATE COUNSELING EXTENSION GRANTED, IF APPLICABLE (YYYYMMDD) N/A
--	--	---	--

17. DATE PRE-COMPLAINT INTAKE INTERVIEW CONDUCTED (YYYYMMDD) 20061122	18. PRE-COMPLAINT INTERVIEW CONDUCTED: ___ Telephonically ___ In-Person ___ Other (facsimile/e-mail)
---	---

SECTION II - ORGANIZATION WHERE ALLEGED DISCRIMINATION OCCURRED (Complete address including office symbol)

Directorate of Public Works
Maintenance & Repair Division
Attn: IMNW-LEW-PWO
Fort Lewis, WA 98433

SECTION III - RESPONCING MANAGEMENT OFFICIAL(S) INFORMATION (Including name, complete work address and phone number, if known)

(b)(6)

**Supervisor, Maintenance and Repair Division
Directorate of Public Works
Attn: IMNW-LEW-PWO
Fort Lewis, WA 98433**

(b)(6)

(b)(6)

**Supervisory, General Engineer
Directorate of Public Works
Attn: IMNW-LEW-PWB
Fort Lewis, WA 98433**

(b)(6)

SECTION IV - BASIS OF COMPLAINT (Identify specific race, color, religion, national origin, disability, age, sex, or reprisal, if alleged)

RACE _____ COLOR (b)(6) SEX Male Female (Gender) Hostile Work Environment _____ AGE _____ DATE OF BIRTH _____ NATIONAL ORIGIN _____

RELIGION _____ DISABILITY _____ MENTAL _____ PHYSICAL _____

REPRISAL (Date(s) of prior EEO activity) 28 Sep 06

On 22 Nov 06, (b)(6) and her attorney, Ms. Joan Mell of Miller, Auter and Quinlan, came into EEO for the initial intake. Ms. Blake stated that she was being discriminated against because of her color (b)(6), sex/gender (female), and reprisal because of her previous EEO complaint (28 Sep 06), personally calling OSHA, and her refusal to "play the game." NOTE: On 13 Oct 06, (b)(6) withdrew her prior complaint; on 14 Nov 06 via email with copy furnished her attorney, (b)(6) requested to re-open her prior claim.

(b)(6) stated that she had been working outside of her prescribed duties and without compensation. She had been asked to do demeaning, unethical tasks/things. She stated that she had been subjected to hostile, condescending and demeaning comments made by (b)(6) and his supervisors (b)(6) and (b)(6). (b)(6) stated that the men are treated better than the women, and their inappropriate behaviors are justified (by management). (b)(6) stated that (b)(6) tried to skew her view of other employees by describing the details of their personal lives (and misconducts) with her. She stated that (b)(6) was a gossip and he uses all the information he solicits on people as something to hold over them. (b)(6) alleged (b)(6) abuses his power and authority, and often says, "if an employee doesn't like what I tell them to do, I'll just fire them." (b)(6) stated that employees are getting appraisals when they do not have job standards, but (b)(6) would not do the same for her. Additionally, (b)(6) stated that she was being retaliated against because of filing an OSHA claim; because of her medical condition (hypersensitivity to chemicals), she can't return to Building 2044, where exposure to dust/debris took place.

(b)(6) stated that she had been denied training opportunity when (b)(6) would not allow her to go to a DTS admin class, telling her there were no seats available. (b)(6) stated she checked and there were 12 seats available. (b)(6) still said no, and (b)(6) finally said "you're not going." (b)(6) stated that she told (b)(6) that she didn't think (b)(6) liked her very much and he responded with "that's because she probably feels you're a threat to her and (b)(6) relationship."

(b)(6) stated that she was forced to do employee Resumes, assist employees with their retirements, stating she was to "fill out their paperwork for them;" stated she would create details and backdate; stated that when (b)(6) left, (b)(6) told her to get (b)(6) new employer on the phone so he could tell them all about him - implying exchange of negative information.

(b)(6) stated a perception of "women are expected to cater to the men" in Public Works. "You have to be the caregiver and do for management - a nurturing role, or sleep with them." (b)(6) has said to her, "If I ask you to do something, would you do it?" (b)(6) stated (b)(6) makes demeaning comments reference other employees, stating that (b)(6) had called (b)(6) a "nigger." (b)(6) stated that (b)(6) and (b)(6) were "bigots;" (b)(6) is very disrespectful;" (b)(6) said I was at the bottom of the barrel." (b)(6) stated that she was told she was selected for the job because of (b)(6), who filed an EEO complaint.

(b)(6) stated that after she told (b)(6) that (b)(6) was very disrespectful towards her, he now asks her to make copies for (b)(6) stating that it's as if she is also the secretary for (b)(6). (b)(6) alleged that (b)(6) Lead, (b)(6), is a bigot. He has stated to her "You're selective in how you say things then there's no way anyone will know what you've done."

(b)(6) stated she had told (b)(6) that (b)(6) gets so close" to her at times. (b)(6) stated "(b)(6) just does that." (b)(6) stated that (b)(6) shared with her that "(b)(6) were an item" and "(b)(6) is very moody; he fishes for women; he's a womanizer" (b)(6) stated this was prior to her coming to work in PW.

(b)(6) stated that in spite of taking on duties from a GS-9 and GS-12, putting in all the RPAs, doing "retirement stuff" she wasn't supposed to do, she received nothing - no appraisal or cash bonus. (b)(6) alleged "working outside of her duties" and stated (b)(6) said "you will do it." (b)(6) stated that (b)(6) had been caught "stealing fuel" in the past. (b)(6) took up a collection for him. "(b)(6) gets a Level I rating. I didn't steal anything; I do my job and I get nothing."

(b)(6) stated that (b)(6) went through a list of all positions available, saying "well, there's some other positions coming up - an Admin Supervisor. That job is for (b)(6)." (b)(6) stated that (b)(6) had shared with her how he placed employees in RIF; he puts their names by the position, and she alleged the "system is manipulated."

(b)(6) stated that (b)(6) disclosed HIPPA information pertaining to (b)(6), and told her not to speak to that gentleman; "He's mean, has a bad temper and is a back stabber."

(b)(6) stated that when she had worked at the front desk, she didn't get lunch breaks. She asked (b)(6) about it and he just shrugged his shoulders.

(b)(6) stated she began working for PW 7 Aug 05. She moved to Bldg. 2044 3 Feb 06. She began having problems with her health. She said she was supposed to be there (Bldg 2044) "a day or two" yet she's been there almost a year. Then she says she was moved to the Paint Shop, where there are a lot of fumes. She stated that this was "another attempt by Darrell to torment her and create a hostile environment for her."

(b)(6) stated that the DES, where she is currently working, is "a wonderful environment" and says with (b)(6) retiring, there is a possibility of upward mobility for her if she is able to stay there. She believes that (b)(6) has shared derogatory information pertaining to her with (b)(6) because he no longer discusses the job possibility with her.

(b)(6) is seeking corrective action of a reinstatement/promotion (pay increase) to position that is commensurate with her education, skills and abilities; reinstatement of leave taken due to her OSHA claim; attorney fees/costs; punitive damages; no retaliation/reprisal.

SECTION VII - RIGHTS AND RESPONSIBILITIES

THE AGGRIEVED WAS PROVIDED WITH THE AGRIEVED PERSON'S RIGHTS AND RESPONSIBILITIES NOTICE AND WAS SPECIFICALLY ADVISED OF THE FOLLOWING:

- The desirability for filing pre-complaint, formal complaint, and/or class complaint, and of right to file a formal complaint of discrimination.
- The pre-complaint, formal and/or class complaint process.
- The 45-day calendar requirement from effective date of personnel action or date of the matter alleged to be discriminatory.
- The role of the EEO counselor, including that the counselor is not an advocate for either the aggrieved person or the agency and acts strictly as a neutral.
- The activity's Alternative Dispute Resolution (ADR) Program and right to elect either ADR (if offered) or traditional EEO counseling.
- The right to remain anonymous during the pre-complaint process.
- The right to representation throughout the complaint process.
- Responsibility of the aggrieved to notify the EEO office in writing of any change of address and/or phone number.
- Responsibility of the aggrieved to notify the EEO office in writing of non-attorney or attorney representation, including address and phone number.
- The possible election requirement between a negotiated grievance procedure, MSPB procedure and the EEO complaint process.
- The election options in age and wage-based discrimination complaints.

SECTION VII - ELECTION OF REPRESENTATION

<input checked="" type="checkbox"/> ATTORNEY		<input type="checkbox"/> NON-ATTORNEY	<input type="checkbox"/> NON-REPRESENTATIVE
NAME OF REPRESENTATIVE Ms. Joan Meil Law Offices of Miller Quinlan and Auter 253.564.5007		ADDRESS Miller Quinlan & Auter, P.S., Inc. 1019 Regents Blvd., Suite 204 Fircrest, WA 98466	
TELEPHONE NUMBER 253-565-5019	FAX 253-564-5007	E-MAIL darla@mqalaw.com	

WITNESSES - (b)(6)

Name	Telephone
(b)(6)	Cell: (b)(6) Home:
(b)(6)	Cell: (b)(6) (b)(6) Home:
(b)(6)	Cell: (b)(6)
(b)(6)	Cell: (b)(6)
(b)(6)	Cell: (b)(6)
(b)(6)	Cell: (b)(6)
(b)(6)	Cell: (b)(6)
(b)(6)	Cell: (b)(6)

SECTION IX - ALTERNATIVE DISPUTE RESOLUTION (ADR)

Matter determined not appropriate for ADR _____
 (Aggrieved must sign and date.)

Matter determined appropriate for ADR _____
 (EEO Officer must initial and date.)

Wishes to participate in ADR, if offered _____
 (EEO Officer must initial and date.)

Date of written offer of ADR _____
 Date of agreement to participate in ADR _____
 Name of assigned ADR facilitator/mediator _____
 Date ADR facilitator/mediator assigned _____

Result of ADR:
 ADR was successful. Negotiated settlement agreement, signed on _____ (YYYYMMDD) is _____
 ADR was not successful. The aggrieved was issued a Notice of Right to File a Formal Complaint of Discrimination on _____ (YYYYMMDD) and notified of requirement to file a formal complaint within 15 calendar days after receipt of Notice of Right to File. The aggrieved was provided a DA Form 2590, Formal Complaints of Discrimination.

SECTION X - TRADITIONAL EEO COUNSELING (EEO official to complete only those which apply)

Election of traditional counseling.

Name of assigned EEO counselor:

Date EEO counselor assigned **22 Nov 06**

Elected to remain anonymous

Elected to waive right to remain anonymous.

Declined to pursue matter under Title VII.

SECTION XI - WITNESS INQUIRY

2. Witness Information (List all witness data here. Number sequentially and include name, title, organization, phone number, and relevant (basis(es)) information.)

1.
Supervisor
Maintenance and Repair Division
Directorate of Public Works
Fort Lewis, WA 98433
253-967-5953

(b)(6) referred to (b)(6) as "spoiled" and indicated the perception in PW was that she was not a team player; she "didn't fit in" and she had a "big issue with (b)(6)" (b)(6) stated that (b)(6) complains in her Van Pool, calls (b)(6) a "bitch." He stated that (b)(6) was "indignant" when he talked with her about this.

(b)(6) stated that (b)(6) had filed a union grievance because she did not have job standards, and had not gotten an appraisal. He stated legally he could not give her an appraisal and he could not justify giving (b)(6) an exceptional appraisal with good conscience. NOTE: (b)(6), Union Representative, initiated a grievance form (see enclosure) on behalf of Ms. (b)(6); however, (b)(6) stated that she had not filed a grievance, completed any forms or signed any grievance forms.

(b)(6) was detailed to DES and (b)(6) indicated that DES could set job standards for her and give her an appraisal.

(b)(6) stated "(b)(6) had problems with (b)(6) and receiving taskings from her," and that (b)(6) had stated "Who is my boss, I can't have more than one boss."

(b)(6) stated that (b)(6) was asked to assist employees with developing and submitting their resumes in the resume system. (b)(6) was also asked to assist employees with their retirement applications and forms.

(b)(6) disagreed with (b)(6) allegations of Public Works being "a hostile, condescending and demeaning environment where men are treated better than the women, and their inappropriate behaviors are justified. Women are expected to cater to the men in PW. You have to be the caregiver and do for management - a nurturing role, or sleep with them." Mr. (b)(6) Robinson stated that he had not witnessed any of these allegations. (b)(6) had file on (b)(6) regarding (b)(6) - (b)(6) /6

Mr. Robinson disagreed with Ms. Blake's allegation of him sharing personal information about employees, then using the information as leverage to "hold over them." (b)(6)

Reference (b)(6) allegation that (b)(6) quite often states "If an employee doesn't like what I tell them to do, I'll just fire them." (b)(6) stated that he had said that if an employee refuses to perform a task as directed, that action would be taken. (b)(6)

(b)(6) stated that he had not witnessed any disrespect towards Ms. Blake from Jim (b)(6) or (b)(6). He stated that (b)(6) had said to him that "she did not like Jim (b)(6) and (b)(6) and several other employees." *Continue, I told him what (b)(6) & Ken would say to me*

(b)(6) stated that he was not aware of (b)(6) working at the "front desk" and not getting her lunch breaks.

(b)(6) stated that he did not recall a conversation with (b)(6) about other positions coming up; in particular, an Admin Supervisor position and any discussion pertaining to (b)(6) (b)(6)

With regards to (b)(6) allegations about how employees are being placed in RIF positions, (b)(6) stated that he is "unable to clarify" and "I do not know why the system is manipulated." (b)(6)

2. (b)(6)
Supervisor
Operations & Maintenance Division
Directorate of Public Works
Attn: IMNW-LEW-PWB

(b)(6)

(b)(6) stated that he had not made any remarks that were demeaning or condescending toward (b)(6) or anyone else. "I have never been disrespectful. I am a supervisor for the mechanical section of O&M Division. I report to (b)(6) who is my boss. (b)(6) (b)(6) was his secretary. I was instructed to go through her with all matters of administration. This included giving her forms, certificates, letters, etc. to put in employee files and to pass on the next administrative step, such as personnel office, safety office."

(b)(6) stated (b)(6) was to support supervisors with admin. Yes, but she refused. When (b)(6) wasn't in his office to sign overtime requests, I had asked for copies after he signed them to be left in my mail box."

(b)(6) stated that he had asked (b)(6) "what her (b)(6) duties were. I felt that she wasn't doing what she was supposed to do and I approached (b)(6) about it. Then I just avoided her because she seemed hostile all the time."

3. (b)(6)
(b)(6)
Directorate of Public Works
Attn: IMNW-LEW-PWB
Fort Lewis, WA 98433
(b)(6)

With regards to (b)(6) allegation that she was denied training, (b)(6) stated that she was informed by someone in PW (she did not recall who) that (b)(6) was planning to attend a DTS training class that was designed for the organization-level administrator. Since (b)(6) was not the organization-level administration, (b)(6) mentioned the training to (b)(6) supervisor, to ensure that he knew what the class was for. He indicated to (b)(6) that it did not sound like the appropriate training level for (b)(6) therefore she was not sent to the training.

4. (b)(6) *- Told me that I was at the bottom of the barrel
Told me with my education how he makes more than me*
(b)(6)
Attn: IMNW-LEW-PWO
Fort Lewis, WA 98433
(b)(6)

(b)(6) stated that (b)(6) was their division secretary, and that he had what he thought "was a good working relationship with her." (b)(6) in my opinion did a more than adequate job as our division secretary." "I do not recall making any disparaging remarks about her ability to do her job."

5. (b)(6)
(b)(6)
Directorate of Emergency Services
Attn: IMNW-LEW-PWE-S
Fort Lewis, WA 98433
(b)(6)

(b)(6) stated that (b)(6) was "doing just fine in her detail at DES." (b)(6) referenced the RPA Tracker, and stated that it looks like the RPA action in the system was cancelled. He does not know for sure what is going on with her detail. He stated that he had a conversation with Paula Wofford about the RPA action and "she had no idea what happened." This discussion took place on Tuesday, 28 Nov 06. He indicated that he is just waiting on a "nod"

from PW to reassign (b)(6) to DES or keep her in PW. (b)(6) stated that (b)(6) "did not share any derogatory information with him reference (b)(6)". He commented that he was aware that some things had gone on within PW reference (b)(6), but "he didn't want to know about it." (b)(6) stated that there was a possibility of "upward mobility" with the position that (b)(6) is detailed into. Presently it is a GS-0318-05 secretary, but he is looking at rewriting it to reflect an administrative position. He wasn't sure at this point; again, he stated he is "waiting for PW to make a decision on a detail or reassignment."

6.

(b)(6)

Attn: IMNW-LEW-PW
Fort Lewis, WA 98433

(b)(6)

(b)(6) clarified that her position within PW "is to maintain structure within the Directorate, such as making sure that my Boss is where he needs to be at a certain time, maintaining his calendar, scheduling meetings, meeting suspenses, processing personnel actions, assisting employees with benefit questions, Resumix, MY BIZ, EBIS and any other questions they may have." "I type performance appraisals, make copies, file and forward to the CPAC at the request of our Division Chiefs. I request RPA's for Personnel Actions to include Recruitment, Reassignment, Realignment, Details, Awards, and Change to Lower Grades."

(b)(6) stated that "each secretary in PW tracks and maintains their own suspense logs, to ensure personnel actions occur in a timely manner." With regards to (b)(6) allegation that "women are expected to cater to the men; be the caregiver and do for management - a nurturing role, or sleep with them." (b)(6) stated, "I must say that is incorrect!" "We cater to both Men and Women in our Directorate that request our assistance whenever needed. We have an aging workforce that are not computer literate and needs extra assistance in logging on the computers and needs assistance with electing their benefits. In the past ten years that I have worked here at PW, I have never had anyone make a sexual advancement or proposal to me."

(b)(6) stated that she had "not seen or heard of anyone that had a reason to retaliate against (b)(6). As a member of the Administrative team, (b)(6) has been given numerous tasks with suspense dates and has not completed them."

(b)(6) stated "Our Administrative Team Leader is Black/Hispanic and I am Hispanic, we have one other Black secretary not to include (b)(6), one Caucasian and one Hawaiian and none of us have ever been discriminated against; (b)(6) is no different to us. We have a very diverse group of ladies working together with one mission in mind - our employees come first. If we cannot service our employees, then our employees cannot complete their mission and that is, support our troops."

BOOK 2 OF 3

CD- EXH 10

TAB 14