

**ROCKY FLATS SITE  
REGULATORY CONTACT RECORD**

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**Purpose:** Minor Modification of *Rocky Flats Legacy Management Agreement* (RFLMA) Attachment 1, "Site Map," and of RFLMA Attachment 2, "Legacy Management Requirements"

**Contact Record Approval Date:** December 7, 2012

**Site Contact(s)/Affiliation(s):** Scott Surovchak, U.S. Department of Energy (DOE); John Boylan, Rick DiSalvo, Linda Kaiser, S.M. Stoller Corporation (Stoller)

**Regulatory Contact(s)/Affiliation(s):** Carl Spreng, Colorado Department of Public Health and Environment (CDPHE); Vera Moritz, U.S. Environmental Protection Agency (EPA)

**Date of Consultation Meeting:** October 16, 2012

**Consultation Meeting Participants:** Carl Spreng, CDPHE; Vera Moritz, EPA; Scott Surovchak, DOE; John Boylan, Rick DiSalvo, Linda Kaiser, George Squibb, Stoller

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**Introduction:** The RFLMA parties agree that RFLMA Attachments 1 and 2 should be modified to reflect changes since the last modifications to these attachments were approved in September 2011. These changes are:

- Completion of breaching the Present Landfill Pond and Pond A-3 dams, resulting in a change to several map figures to show the new surface water configuration as wetlands
- Completion of the installation of the new flumes for surface water monitoring locations WOMPOC and WALPOC and notification to CDPHE and EPA to complete the requirements for these locations to become new Points of Compliance (POCs)
- Completion of the third 5-year review, which necessitates clarifying the scheduling for subsequent reviews
- Deletion of specific vegetation inspections at the landfills as recommended in the third 5-year review
- Recent changes to Regulation #31, "Basic Standards and Methodologies for Surface Water" (5 CCR 1002-31) (Reg. #31) which require updates to RFLMA Attachment 2, Table 1, "Surface Water Standards".

Several items in RFLMA Attachment 2 will also be updated or clarified as part of the modification as editorial changes.

Pursuant to RFLMA paragraph 66, DOE and CDPHE do not consider these items to constitute a significant change from existing requirements of RFLMA, and this contact record provides public notice of the proposed minor modifications. DOE will submit the modifications to CDPHE and EPA for review and approval pursuant to RFLMA paragraph 65.

The specific minor modifications are described in more detail below.

**Discussion:** The RFLMA Attachment 1 map and several RFLMA Attachment 2 subsections, tables, and figures will be modified. Text to be deleted is shown in single-line strikethrough, and new text is in bold. Modifications to tables and figures are summarized.

### *RFLMA Attachment 1*

RFLMA Attachment 1, “Site Map,” will reflect the Present Landfill Pond and Pond A-3 dam breach by changing the footprint and the map features to indicate areas as “wetland/marsh.” Also, “McCaslin Road” and “Indiana St.” labels will replace “County Highway 5” labels to be consistent with road signs.

### *RFLMA Attachment 2*

#### 1. Section 5.1, “Monitoring Surface Water”

Points of Compliance (POCs): Located in Woman and Walnut Creeks. These locations are used to demonstrate compliance with the surface-water standards in Table 1. ~~POC monitoring locations WALPOC and WOMPOC require construction of a new flume in Walnut Creek and a new flume in Woman Creek at the locations shown on Figure 1 and described in Table 2. After each new flume and associated sampling equipment is installed and tested for proper operation, DOE shall notify CDPHE and EPA that construction is complete. WALPOC and WOMPOC will replace GS08 and GS11 on the date of the DOE notification for that location. WOMPOC will replace GS31 on the date of the DOE notification for that location.~~ **WALPOC, which replaced former POCs GS08 and GS11 on September 28, 2011 and WOMPOC, which replaced former POC GS31 on September 9, 2011,** will also replace GS03 and GS01 respectively upon DOE notification to EPA and CDPHE certifying that WALPOC and WOMPOC have been functioning as POCs for at least two years. EPA or CDPHE may extend the two-year period by requiring DOE to submit a modification to this attachment in accordance with RFLMA paragraph 65 if either determines that such modification is necessary to ensure protection of human health and the environment . . .

Consistent with the above, in Table 2, “Water Monitoring Locations and Sampling Criteria,” the rows for locations GS08, GS11, and GS31 will be deleted. Also, in Figure 1, “Water Monitoring at Rocky Flats: RFLMA,” locations GS08, GS11, and GS31 will be deleted.

#### 2. Section 5.3.7, “Ecological Sampling”

~~The Ecological Risk Assessment determined that residual contamination does not represent a significant risk of adverse ecological effects. The CAD/ROD, however, requires that specific additional sampling be conducted to reduce the uncertainties determined in the Ecological Risk Assessment. Additional ecological sampling listed in Table 5 was completed and approved by CDPHE on April 2, 2008.~~

The subsection header will be deleted, and Table 5, “Ecological Sampling,” will also be deleted because no longer needed.

#### 3. Section 7.3, “CERCLA 5-Year Review”

A statutory 5-year review is required under CERCLA for the Central OU because the selected remedy will result in hazardous substances, pollutants or contaminants remaining above levels that allow for unrestricted use and unlimited exposure. DOE will prepare the 5-year review **report** consistent with EPA-OSWER Directive 9355.7-03B-P (or subsequent EPA directives), as applicable to Rocky Flats. DOE will submit the 5-year review **report** to EPA ~~by August 1, 2007~~ **upon a mutually agreeable schedule determined by the RFLMA Project Coordinators in accordance with the consultative process in RFLMA paragraph 11**, so as to allow for EPA ~~approval by September 17, 2007~~ **concurrence within five years of the preceding 5-year review report** ~~prepare subsequent reviews at five-year intervals from the aforementioned date, until such time as EPA determines that CERCLA periodic reviews are no longer required . . .~~

4. Table 1, “Surface Water Standards,” (RFLMA standards) are remedy performance standards derived from and based on standards promulgated by the Colorado Water Quality Control Commission (WQCC). The WQCC recently approved changes to the standards for some volatile organic compounds in Reg. #31, which are also RFLMA standards. Table 1 will be modified to delete the current standards and replace them with the new Reg. #31 standards, as follows:

Analyte	Current RFLMA standard (mg/L)	New RFLMA Standard (mg/L)
Acrylamide	7.80E-6	2.20E-5
Carbon tetrachloride	2.30E-4	4.30E-4
1,2-dichloroethene ( <i>cis</i> )	7.00E-2	1.40E-2 to 7.00E-2
1,4-dioxane	3.20E-3	3.50E-4
Hexachloroethane	4.00E-4	5.00E-4
Nitrobenzene	3.50E-3	1.40E-2
Pentachlorophenol	2.70E-4	8.00E-5
Tetrachloroethene	6.90E-4	5.00E-3

Table 1 footnotes will be modified as follows:

- [c] and [h]: Deleted because the footnotes referenced Temporary Modifications that expired at the end of 2009. Both footnotes will be marked “Reserved.”
- [e]: Revised to clarify that the WQCC-promulgated standard for unionized ammonia applies to Segment 4a only.
- [i]: Clarified that nitrate and nitrite standards are “as nitrogen.”
- [m]: Deleted because the footnote refers to the March 22, 2012, effective date for the current RFLMA standard for 1,4-dioxane (3.20E-3 mg/L). The footnote will be marked as “Reserved.”
- [n]: Added 1,2-dichloroethene (*cis*) to specify that the higher number in the range is to be used as the applicable or corresponding Table 1 standard in the flowcharts shown in RFLMA, Attachment 2, Figures 7 through 11. Arsenic is currently the only Table 1 analyte in footnote [n] based on a Reg. #31 standard that is a range of values.

5. Table 3, “Present and Original Landfill Inspection and Maintenance Requirements,” will be modified to remove landfill-specific vegetation and inspection requirements as recommended in the third 5-year review report. Landfill vegetation meets success criteria, and it will be monitored and managed under the site-wide vegetation and revegetation plans. Table 3 will also be modified

to change the Present Landfill reference from “pond monitoring” to “downstream monitoring” because the Present Landfill Pond dam was breached in 2012.

Minor modifications to the Original Landfill and Present Landfill monitoring and maintenance plans will also be proposed to update the vegetation monitoring requirements. The outcome of RFLMA party consultation regarding the proposed modifications to these plans will be included in separate contact records.

6. Figure 1 will be modified to reflect the Present Landfill Pond and Pond A-3 dam breach by changing the footprint and the map features to indicate areas as “wetland/marsh.” Also, the surface water sampling locations currently marked as Pond A4, Pond B5, and Pond C2 on Figure 1 and currently listed the same way in Table 2 will be changed to match their location codes in the soil/water database, which are “A4 Pond,” “B5 Pond,” and “C2 Pond,” This change is to avoid any confusion in matching the location to the monitoring data in the quarterly and annual reports of surveillance and maintenance activities.
7. Figure 4, “Subsurface Features – Representative Pits and Trenches,” will be modified to reflect the Present Landfill Pond and Pond A-3 dam breach by changing the footprint and the map features to indicate areas as “wetland/marsh.” Also, the Original Landfill and the Present Landfill locations will be added to Figure 4 for clarity because their locations are not currently depicted on any RFLMA maps. The figure title will be changed to “Subsurface Features – Pits, Trenches, and Closed Landfills.”

**Closeout of Contact Record:** This contact record will be closed when the minor modifications to RFLMA Attachment 1 and RFLMA Attachment 2 are approved.

**Resolution:** Carl Spreng, CDPHE, approved this contact record.

**Contact Record Prepared by:** Rick DiSalvo

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**Distribution:**

Carl Spreng, CDPHE  
Scott Surovchak, DOE  
Linda Kaiser, Stoller  
Rocky Flats Contact Record File