

STATE OF COLORADO

CORRES. CONTROL
INCOMING LTR NO.

00547 RFD 5

DUE DATE
ACTION

Bill Owens, Governor
Douglas H. Benevento, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Chery Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado

Laboratory Services Division
8100 Lowry Blvd.
Denver, Colorado 80230-6928
(303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

DIST.	LTR	ENC
BERARDINI, J.M.	X	
BOGNAR, E.S.	X	
BROOKE, L.	X	
CROCKETT, G. A.	X	
DECK, C. A.	X	
DEGENHART, K. R.	X	
FERRERA, D. W.		
GIACOMINI, J. J.		
GILPIN, H.		
LINDSAY, D. C.		
NESTA, S.		
SHELTON, D. C.	X	
TUOR, N. R.	X	
WALSTROM, J.	X	
ZAHM, C.	X	

November 28, 2005

Mr. John J. Rampe
Director, Project Management Division
U.S. Department of Energy, Rocky Flats Project Office
12101 Airport Way, Unit A
Broomfield, Colorado 80021-2583

Mr. David C Shelton
Vice President, Environmental Systems and Stewardship
Kaiser-Hill Company
Rocky Flats Environmental Technology Site
12101 Airport Way, Unit B
Broomfield, Colorado 80021-2583

RE: Acceptance, Certification of Documentation of Rocky Flats Environmental Site (The Site) Resource Conservation and Recovery Act (RCRA) Unit Closures

Dear Mr. Rampe and Mr. Shelton:

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the "Division") received the subject certification from Kaiser-Hill Company dated October 12, 2005. As specified in RCRA Permit No. CO-04-06-23-01, General Facility Condition ILL.6 relative to the permitted units, and by 6 CCR 1007-3, Section 265.115, relative to the interim status and mixed residue units, the final closure of the site as a RCRA facility has been certified. Certification by Kaiser Hill Company as the facility operator and by Mr. Douglas J. Schlager, PE, a Colorado Registered Professional Engineer, is acknowledged. Additionally, the Division accepted the previously completed certification of closure of Mr. John H Rahe, PE, for the Present Landfill on November 22, 2005. (The landfill was not carried on the RCRA Facility Master List and therefore was not certified closed by Mr. Schlager.)

The Division accepts the primary certification without reliance on Type I facility designations. Relative to the fifth bullet of the October 12, 2005 submittal, Division (CDPHE) acceptance of Type I designations did not constitute approval of RCRA closures. Specifically, the designation of a Type I structure, without concurrent acknowledgement of the prior existence of a RCRA unit, did not afford the Division an opportunity to make a closure determination.

In the one circumstance where a Type I designation was used to document closure; RCRA Unit 2 - Building 331C, a contact record dated October 20, 2005 has been issued to waive the previous unit specific requirement for owner or operator certification. Mr. Schlager's final facility certification, inclusive of Unit 2, is sufficient and acceptable.

If you have any questions concerning this correspondence, please contact me at 303-692-3328 or Harlen Ainscough at (303) 692-3337.

Sincerely,

David A. Kruchek
Acting Rocky Flats Oversight Unit Leader

COR. CONTROL	X
ADMIN. RECORD	X

Reviewed for Addressee
Corres. Control RFP

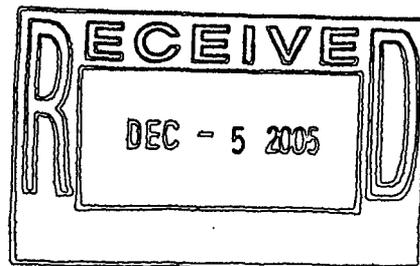
12-05-05 DB
Date By

Ref. Ltr. #

cc: Carl Spreng, CDPHE
M. Aguilar, USEPA Region VIII
Administrative Record, Mountain View

D. Miller, AGO
S. Garcia, City of Broomfield

DOE ORDER #
5400.1



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ADMIN RECORD