

EPA'S FURTHER COMMENTS ON THE RESPONSIVENESS SUMMARY
ROCKY FLATS CLEANUP PROJECT UO 1 IM/IRA

The general format, and especially the categorization and cross referencing of related comments are positive attributes to the responsiveness summary.

EPA takes exception to the several references made regarding an "agreement made" to follow EPA's (EE/CA) guidance as an excuse not to revise the IM/IRA plan for easier reading. It presents the appearance of a defensive mechanism, aimed at justifying why the organizational deficiency exists. While EPA directed DOE to follow the guidance, EPA's EE/CA guidance presents only the minimum requirements for preparation of documents related to such an action and in no way should impede achieving a high quality presentation.

For future reference, responsiveness summaries should address and close out every comment with language indicating how the comment will impact the IM/IRA decision document. This was not done for each of the comments, and EPA did not have sufficient time during the draft review to point the deficiency out. EPA requests one week to review the internal draft of the responsiveness summary prior to meeting with DOE to preliminarily discuss the draft responsiveness summary.

At times, the responsiveness summary takes on the tone of being a rebuttal to comments and not a responsiveness summary. Whether DOE can do what citizen's want or not, the responsiveness summary should always provide a clear and complete consideration for the basis of any decision as a result of each comment. A responsiveness summary should reflect a genuine attempt to come to grips with citizen's questions and concerns. It should not appear to be an advocacy brief, piling up evidence for why DOE's original approach was the best possible option. The responsiveness summary can present further facts which support the chosen option, but should not do this through dismissal of the public's concern without adequate justification.

The final statement of the responsiveness summary (pg. 40) should be modified to state that DOE has attempted to resolve the issues, rather than claiming all issues but one are resolved. Also, many of the issues will require extensive follow-up and further communication with the public. This should also be included in the remaining concerns statement on page 40.

One specific concern that EPA has is in regard to the response to comment # 51. EPA's policy under CERCLA allows for consideration of synergistic effects from cleanup of each OU. No specific technical guidance, which addresses this issue, exists at this time. This comment is specific to the potential for synergistic

effects from the additive concentrations of individual contaminants from the IM/IRA treatment effluent.

The response to the concern could have included a statement that DOE would consider synergistic effects to the extent practicable and that this concern can also be addressed in an evaluation of how one OU cleanup activity impacts another OU cleanup activity. DOE could also have further addressed the matter by stating the final effluent from the treatment system will be monitored and is not expected to adversely impact Woman Creek. Also, a reference could be made to the fact that this discharge will be mixed with Woman Creek flow and again be monitored prior to discharge at a point located further down stream.