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EG&G ROCKY FLATS

21665

ORDER#

4 RF 02225

EG&G ROCKY FLATS, INC.
ROCKY FLATS PLANT, P.O. BOX 464, GOLDEN, COLORADO 80402-0464 • (303) 966-7000

DIST.	LTR	ENC
MARAL, M.E.		
NEDETTI, R.L.		
ENJAMIN, A.		
ERMAN, H.S.		
RANCH, D.B.		
ARNIVAL, G.J.		
OPP, R.D.		
AVIS, J.G.		
RRERA, D.W.		
NNI, B.J.		
ARMAN, L.K.		
EALY, T.J.		
EDAHL, T.		
LBIG, J.G.		
ITCHINS, N.M.		
EBY, W.A.		
ESTER, A.W.		
HAFFEY, J.W.		
NN, H.P.	X	
ARX, G.E.		
DONALD, M.M.		
KENNA, F.G.		
ONTROSE, J.K.		
ORGAN, R.V.		
OTTER, G.L.		
ZUTO, V.M.		
SING, T.L.		
NDLIN, N.B.		
TLOCK, G.H.		
EWART, D.L.		
LLIVAN, M.T.		
ANSON, E.R.		
LNKINSON, R.B.	X	
LIAMS, S.(ORC)		
SON, J.M.		
ANT, R.D.		
<i>2 H, S.R.</i>	X	
<i>Tiger S.H.</i>	X	
<i>Clark, J.A.</i>	X	
<i>MASS, T.R.</i>	X	
ERRES, CONTROL	X	X
MAN RECORD/0807	X	
TS/T130G		
AFFIC		

February 23, 1994

94-RF-02225

M. H. McBride
Acting Assistant Manager
For Environmental Restoration
DOE, RFO

**COMPLIANCE WITH AGENCY DIRECTIVES CONCERNING BUILDING 788 -
SGS-123-94**

Ref: H. P. Mann ltr, HPM-155-94, to M. N. Silverman, Building 788 Alternate Use
Recommendation, February 11, 1994

This letter presents recommendations by EG&G to the Department of Energy (DOE) regarding the various issues surrounding the removal of Building 788 Resource Conservation Recovery Act (RCRA) Unit 21 and processing equipment (RCRA Unit 48). EG&G has received its copy of the letter of February 18, 1994 to the DOE from Colorado Department of Health (CDH) and Environmental Protection Agency (EPA). In that letter, the regulators state that the Operable Unit (OU) 4 draft Interim Measures/Interim Remedial Action Plan (IM/IRA) due April 14, 1994, as an Interagency Agreement (IAG) milestone will be deemed inadequate if it does not include the removal of RCRA Units 21 and 48. This will cause default in the IAG with associated penalties and negative public relations. With that stance, it appears that the DOE preferred approach of a RCRA closure will not be viable.

The following are key issues affecting removals of RCRA units 21 and 48:

- Separation of the removals from the OU-4 IM/IRA will result in the IM/IRA to be found deficient by the agencies, with the likely result that several IAG milestones will be declared unachieved.
- The DOE has taken the position that doing an integrated IM/IRA effectively sets a precedent that Decontamination and Decommissioning (D&D) of facilities must be performed under authority of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- The position taken by the agencies precludes execution of the "reuse" strategy which was driven by National Environmental Protection Agency (NEPA) requirements to decouple the OU-4 remediation action and removal of the RCRA units for schedule acceleration. In the absence of this decoupling, physical work in removing the RCRA units cannot commence until the OU-4 NEPA action and IM/IRA are complete. Those actions are covered by the IAG with a milestone date of January 1995.
- The removal of the RCRA units can be integrated into the OU-4 remedial action which may result in additional flexibility of reuse options, disposal of removal wastes, decontamination requirements, scheduling, and subcontracting, resulting in a more efficient and cost-effective action.

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REPLY TO RFP CC NO:
94-RF-01622

OPERATION ITEM STATUS
PARTIAL/OPEN
X CLOSED

APPROVALS:

EG & TYPIST INITIALS
ARK
SICK:CLA

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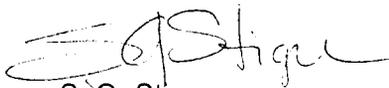
In looking over the possible solutions to this situation, EG&G has arrived at the following recommendations:

- Include removal of Building 788 RCRA units 21 and 48 in the OU-4 IM/IRA.
- Adopt a position that removal of Building 788 (including the RCRA units) is a unique requirement of this IM/IRA only. Bolstering this stance is the fact that this agreement was made by an IAG dispute resolution specific to OU-4 and in no way obligates the entire DOE D&D program to CERCLA oversight. Pursuing this strategy in response to the position taken by the agencies will make it impossible to achieve a stated DOE objective of removing Building 788 by September 30, 1994. The most significant schedule drivers are the NEPA and IM/IRA processes cited previously. EG&G continues to evaluate alternatives but does not realistically feel it is possible to further accelerate the OU-4 action sufficiently to achieve that objective.

The schedule for the OU-4 IM/IRA is very tight. Formal direction to EG&G's subcontractor doing the IM/IRA is required by March 1, 1994, to incorporate the removals in the IM/IRA in time for the IAG milestone of April 14, 1994. Therefore, EG&G must be given the ability to proceed with this recommended approach by February 25, 1994.

If EG&G is not given authority to proceed with this approach by that time, the IAG milestone will be in serious jeopardy. The decision on this issue cannot be delayed further without impacting the April 14, 1994, OU-4 IAG milestone. EG&G looks forward to resolving this issue with the DOE in the most expeditious way and will work hard to execute whatever direction the DOE may provide with minimal impacts to the IAG milestones.

Should you have any questions or concerns regarding this recommendation, please contact Steve Keith at extension 8541, Tye De Mass at extension 8760 or myself.



S. G. Stiger
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Environmental Restoration Management
EG&G Rocky Flats, Inc.

SRK:clh

Orig. and 1 cc - M. H. McBride

cc:
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