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CONTAMINANTS ADDED TO THE OPERABLE UNIT 1 PHASE III RFI/RI (RCRA [RESOURCE CONSERVATION AND RECOVERY ACT] FACILITY INVESTIGATION/REMEDIAL INVESTIGATION) REPORT - SGS-138-94

The United States Environmental Protection Agency's (EPA) recent insistence that antimony (Sb) and manganese (Mn) be included as contaminants in the Operable Unit (OU) 1 Phase III [Resource Conservation and Recovery Act] Facility Investigation/Remedial Investigation (RFI/RI) Report has serious implications both to work currently in progress and to long term remediation requirements

Background

The methodology used in determining contaminants of concern at OU 1 was developed jointly during negotiations with EPA and the Colorado Department of Health (CDH). These negotiations are documented in meeting minutes from July 1993. The recognized methodology allows professional judgement concerning spatial and temporal distribution of chemicals and was used to prepare the Final Phase III RFI/RI Report delivered to the agencies on November 5 1993. Meetings were held in November and December 1993 with EPA and CDH to present the RFI/RI Report and to discuss questions and concerns.

EPA did not reject the RFI/RI Report contaminant list at that time. In fact EPA suggested that it and CDH might possibly accept the November 1993 Report as the final. Any remaining changes would be minor and could be accomplished by simple page changes.

Based on this apparent pending acceptance of the RFI/RI Report EG&G Rocky Flats Inc staff and subcontractors resumed work on the Corrective Measures Study/Feasibility Study (CMS/FS) in December 1993. This was done in an attempt to make up for some of the schedule slippage caused by the extended RFI/RI process.

Recent Developments

On February 1 1994 the Department of Energy Rocky Flats Office (DOE RFO) received written comments from EPA and CDH on the Phase III RFI/RI Report. One EPA comment (number 5) states that Mn and Sb were found in concentrations which exceed health-based drinking water levels and thus must be added to the list of contaminants and evaluated in the risk assessment along with the other contaminants. Based on knowledge of historical waste practices Sb and Mn were not used or stored in OU 1. Several discussions with the Agency staff were held to discuss this matter and several alternative solutions were proposed. In a continuing effort to resolve this issue a conference call was placed to EPA and CDH on February 15 1994. During this conversation EPA's toxicologist flatly rejected proposals to handle Mn and Sb in the Uncertainty Analysis. As a compromise measure CDH suggested that Mn and Sb be evaluated using the "Gilbert Screens" developed for use by OUs 2 through 7 and get back to them with the results. This work is in progress and a presentation of the results is tentatively scheduled for early March.

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The method used in the most recent Remedial Investigation Report is far superior to the purely risk-based approach which EPA is demanding. In fact Dr Gilbert himself cautions against blindly following the statistical results and has recommended application of professional judgement. EG&G does not agree with deviating from the current methodology used to determine other contaminants of concern and does not agree that manganese and antimony are OU 1 contaminants.

Impacts

Inclusion of Mn and Sb as new contaminants in the RFI/RI Report would have negative impacts in the near term. Schedule slippage and cost overruns would impact the entire OU 1 project. Initial estimates place the cost variance to the RFI/RI at approximately \$20,000 and delivery of the revised Final RFI/RI Report would be delayed to at least April 1, 1994.

More importantly, allowing Mn and Sb to be called contaminants would have very grave consequences in the long run. Simply put, Rocky Flats would be required to collect and treat groundwater for metals which are naturally occurring. This treatment could go on for decades at a tremendous cost.

This issue has stopped work on the CMS/FS. The Technical Memorandum (TM)10 - Remedial Action Objectives cannot continue until the contaminant list is finalized. In fact, work already completed would have to be redone. Furthermore, the remainder of the FS cannot begin since it is dependent on the results of TM 10. EG&G is still assessing the cost and schedule impacts to the FS.

Provisions are being investigated in the Risk Assessment Guidance for Superfund by which EG&G might comply with the intent of EPA's wishes to include Mn and Sb but refer to them as naturally occurring or anthropogenic instead of contaminants. EG&G will inform DOE on the progress of this investigation.

Please contact R Zeke Houk at extension 8714 with any comments.



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