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IN REPLY TO RFP CC NO:

ACTION ITEM STATUS:
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LETTER APPROVALS:

ORIGINATOR & TYPIST INITIALS
MSB:jlm

EG&G ROCKY FLATS

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June 28, 1995 95-RF-05450

Robert H. Birk
Environmental Restoration Division
DOE/RFFO

APPROVAL OF TECHNICAL MEMORANDUM NUMBER 5 – TOXICITY ASSESSMENT – MSB-013-95

As you know, the Colorado Department of Public Health and the Environment submitted comments on Technical Memorandum 5 on May 8, 1995. These comments were received seven months after the document was submitted to the regulatory agencies for review. Your letters of November 10, 1994, and December 9, 1994, requested comments from the agencies as soon as possible and assumed approval if there was no response. Subsequently, we have long since assumed that Technical Memorandum 5 was approved without comment in order to keep the project on schedule.

In an effort to bring closure to this issue for Operable Unit 3, it is recommended that the Department of Energy/Rocky Flats Field Office (DOE/RFFO) try one more time to gain approval for Technical Memorandum 5. This may be possible by referencing the October 12, 1994 letter from the Environmental Protection Agency (EPA) regarding the Operable Unit 5 Human Health Risk Assessment which states that according to "...paragraph VII.D.1.c of the Interagency Agreement Statement of Work regarding submittal of a toxicity assessment technical memorandum, this memorandum is only required in cases where an EPA verified toxicity value is not available from the Integrated Risk Information System (IRIS) or the Health Effects Assessment Summary Tables (HEAST). If toxicity information for all the Operable Unit 5 (OU 5) contaminants of concern is available from either IRIS or HEAST, no toxicity assessment memorandum is required to meet the conditions of the IAG."

Since Operable Unit 3 is following the same approach to toxicity assessment, the toxicity Technical Memorandum was apparently not required. Therefore, it is reasonable to expect that our toxicity assessment is also approvable without comment.

It is suggested that DOE/RFFO transmit a letter to the agencies which discusses their decision on Operable Unit 5 and its applicablity to Operable Unit 3. EG&G Rocky Flats, Inc. believes that the EPA will concur with this approach, and as lead agency, subsequent approval will be granted.

Please let me know if you need any more information or have any questions.

Mark S. Buddy
Project Manager, Operable Unit 3
Group 1 Closures

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