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INFORMAL CORRESPONDENCE

Date: September 27, 1995
To: Steve Hahn
From: Laurie Peterson-Wright
Subject: HISTORY OF OPERABLE UNIT SEVEN ACCELERATED ACTION

Steve, this informal correspondence is in response to your request for information concerning the history of the accelerated action at Operable Unit Seven.

The April 15, 1994, Statement of Resolution on the Pond Water Management IM/IRA by the Senior Executive Committee of the Interagency Agreement required that an IM/IRA be prepared for landfill leachate collection and Submitted by October 14, 1994 to the regulatory agencies.

Tim O'Rourke (the previous EG&G OU 7 Project Manager) understood that the leachate collection remedial construction would commence as part of the final closure (1997). Also at that time, EG&G understood that the Landfill IM/IRA would address closure of the landfill, sediments from the landfill pond and surficial soils from the spray evaporation areas. The Leachate Collection IM/IRA would address collection of contaminated leachate/groundwater. Since the leachate collection system was to be part of final closure, the system would have to be designed to meet all ARARs. We began working through the evaluation of alternatives to meet the scope.

In a meeting with Jen Pepe (DOE), Dave Norbury (CDPHE), Arturo Duran (EPA), EG&G and subcontract personnel on June 22, 1994, the CDPHE voiced that the intent of the Leachate Collection system was to put a system in place to address the "illegal discharge (disposal) of a listed waste to a surface water body." The scope of the leachate collection was envisioned as:

- Goal to expedite action and have the leachate collection system in place by summer 1995
- collected leachate at the seep only
- use existing treatment facilities (we were to the point in the IM/IRA that OU 1 and OU 2 where they were the only alternatives under consideration since they could meet all ARARs)
- Design system to capture surface expression of the seep (3-5 foot depth)
- Use existing storage facilities at OU 4 or build a tank system at OU 7.

Per Jen Pepe's verbal direction, OU 7 personnel then accelerated the IM/IRA leachate collection baseline schedule by one year, continued options analysis and began conceptual design.

In a subsequent meeting, July 18, 1994 with the same personnel, CDPHE proposed that the leachate collection and treatment system as an "accelerated Action" and prepared a Proposed Action Memorandum (PAM) instead of an IM/IRA Decision Document since we had already completed the IM/IRA screening of technologies. The PAM process would decrease the public comment period and also decrease costs with production of the document. The IM/IRA options analysis was then discontinued. The PAM was completed and its submission technically fulfilled the October 13, 1994 milestone of "Submit Leachate Collection IM/IRA". The PAM underwent public and agency review and was approved December 8, 1994.

Note: IAG PAM guidance does not require an evaluation of alternatives, whereas an IM/IRA evaluates all options using nine criteria, one of which is cost.

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On August 10, 1994 Dave George assumed the OU 7 counterpart position.

On September 28, 1994 Kurt Muenchow assumed the OU 7 counterpart position.

On December 16, 1994 Kurt Muenchow (DOE) sent a memorandum requesting that OU 7 discontinue coordinating with the OU 1 OU 2 or sitewide treatment facility for treatment of the seep water because he felt that the treatment systems could not meet our implementation schedule. The letter also stated that EG&G could not release an RFP for construction of the seep collection system unless written approval was received by DOE. OU 7 received written verification of treatment capacity from OU 1 and forwarded it to DOE on January 11, 1995.

On January 29, 1995 Peg Witherill assumed the OU 7 counterpart position. On February 1, Peg Witherill (DOE) provided me a an analysis of the OU 7 Seep data performed by Paul Singh (SAIC in support of DOE/RFFO). His conclusion was to delist the water and continue with the present monitoring effort. Dave Norbury (CDPHE) had stated that delisting could be accomplished by treatment. EG&G supported DOE's efforts to discontinue implementation of the PAM by performing a series of risk assessments. This information was provided to CDPHE and EPA on March 10, 1995.

CDPHE stated in their March 27 that the PAM must be implemented because of the dispute resolution and concerns regarding contaminant loading to the pond.

EG&G then pursued the idea of leachate control (which would be more compatible with the final remedy) by installing a slurry wall to stop the generation of leachate and proposed this to CDPHE in April. CDPHE replied in April by letter that leachate control did not address the original intent of dispute resolution. (Steve, I do not have these letters but have requested them from Steve Slaten).

DOE arranged a meeting on May 8, 1995 with a representative of the Colorado School of Mines and Technology familiar with passive treatment systems. The CSM&T representative, after a field walk through thought that there would be adequate head to allow for a flow through system. DOE then asked if we could use the CSM&T representative to support design of a passive system. Upon our affirmative response, DOE then called CDPHE and received a message from Joe Schieffelin that a passive system was acceptable to them. DOE received written concurrence on May 12, 1995.

On May 26, 1994 DOE gave EG&G written approval to pursue a passive leachate collection and treatment system. EG&G negotiated with the CSM&T representative for a month and neither side could come to resolution. EG&G had limited funding available for the project (approximately 160K) and the original bid from the representative was 367K which did not include the cost of design or construction of the system. The CSM&T representative scope was to perform a treatability study using three systems: biosorption, chemo-oxidation and bimetallic reduction none of which would meet all ARARs. Our work package scope stated that a treatability study would not be performed at OU 7. EG&G stated that only one system could be used and during the second iteration the bid estimate decreased to 214K which was still unacceptable. The CSM&T representative also went to Norway during this timeframe which also complicated the negotiation process. Under pressure to meet the August 16, 1995 implementation date, EG&G subcontracted the design work to S.M. Stoller requesting that they contract the CSM&T representative to provide technical oversight. On June 26, 1995 the CSM&T representative declined continued involvement with the project under those conditions.

OU 7 remains dedicated to serving the client and will make every attempt to assist in an expedient resolution of the seep collection and treatment issues. Delays already encountered during design review resolution and stop work orders issued in July have caused a 30 day slip in the implementation date of 12/27/95 which is an enforceable milestone. We are working closely with Kaiser-Hill procurement to recover the majority of this lost time.

Please let me know if I can be of further assistance.

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