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STATE OF COLORADO

Nov 15 11 45 AM '94



Colorado Department
of Public Health
and Environment

DATE

by Romer, Governor
Patricia A. Nolan, MD, MPH, Executive Director

dedicated to protecting and improving the health and environment of the people of Colorado

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION

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November 7, 1994

Mr. Steven W. Slaten
J.S. Department of Energy
Rocky Flats Environmental Technology Site
Building 116
P. O. Box 928
Golden, Colorado 80402-0928

RE: Comments on "Draft Responsiveness Summary for the Proposed Interim Measures/Interim Remedial Action Decision Document for the Rocky Flats Industrial Area", October 1994

Dear Mr. Slaten,

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the Division) hereby submits comments on the subject document. Additionally, the Division is including, as a separate attachment, suggestions relative to your response to those comments received after the October 14, 1994 cutoff date for inclusion in the draft Responsiveness Summary.

Please contact Harlen Ainscough at 692-3337 if you have any questions.

Sincerely,

Joe Schieffelin
Joe Schieffelin, Unit Leader
Rocky Flats Unit
Hazardous Waste Control Program

Attachments

cc: Daniel S. Miller, AGO
Steve Tarlton, CDH-OE
Melani Aria, CDH
Martin Hestmark, EPA
Bill Fraser, EPA
Fraser Lockhart, DOE
Regina Sarter, DOE
Mark Buddy, EG&G

CORRES. CONTROL X X
DMN RECORD/080 X 2
JTS/T130G

Reviewed for Addressee
Corres. Control RFP

11-15-94 920
DATE BY

Ref Ltr. #

DOE ORDER # 5400.1

Colorado Department of Health
Hazardous Materials & Waste Management Division

Comments

on

DRAFT RESPONSIVENESS SUMMARY

TO

PROPOSED

INTERIM MEASURE/INTERIM REMEDIAL ACTION

DECISION DOCUMENT

for

ROCKY FLATS INDUSTRIAL AREA

OCTOBER, 1994

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SPECIFIC COMMENTS:

Section 1.0: The term "verification monitoring" in the third paragraph is vague. Moreover, the text states that the IM/IRA presents the proposed verification monitoring; however, the executive summary of the IM/IRA document lists verification monitoring as only one of several objectives of the IM/IRA. The Responsiveness Summary text should be changed to more accurately, and clearly, state the "mission" of the IM/IRA DD. Relative to the "mission", the executive summary of the DD (last sentence, second paragraph), states, "This system is designed to protect the public and the environment throughout transition and decontamination and decommissioning (D&D) activities." Protection during D&D will be achieved through actions that prevent, and thereby protect, the public and the environment not through monitoring. Monitoring is a demonstration that the protection is in enforce or will alert all parties that D&D was not executed with care or full understanding of possible contaminant sources or release mechanisms. Therefore, the Division suggests that the Final document submitted for approval capture, more precisely, the mission of the DD.

Accordingly, delete ", protect against," from the fourth paragraph, first sentence, and add the word inadvertent after the word "potential" of the second line.

Relative to the last paragraph of the section, page 2, the inclusion of the general public comments in the Final RS, and not in the draft, may result in a delay in agency approval of the Final RS if DOE responses are subsequently deemed inadequate.

Response to Comment 6: Please provide more explicit detail or rationale why chemical mass balances are not deemed a "fundamental verification monitoring requirement".

Response to Comment 7:

Relative to the second paragraph, how far in advance and for what duration and frequency will subbasin monitoring occur? Seasonality of COPC concentrations must be addressed to provide viable data comparisons. Please amend the response to state the time frame and frequency of monitoring. Please further explain that monitoring years in advance is a drain on resources without an attendant benefit.

To the last sentence, fourth paragraph add the phrase "as determined from process knowledge (i.e. the history of chemical and physical operations)".

To the last sentence, fifth paragraph add "at which time a DOE failure to conduct such monitoring could trigger an enforcement action."

Response to Comment 8: The CDIW parameters are understood to be gross constituent screens. As such, significant metals concentrations might register through the conductivity readings; however, how would volatiles be screened. The Division suggests field instruments be used to check for volatiles.

Response to Comment 11: The Division's comment indicated the need for a recommended method for calculating warning limits for non-normally distributed data. If the Gilbert method is the appropriate method, as suggested by the response, so state in the RS and in the DD.

Response to Comment 13: Given the experience that the RFETS has gained with drilling contractors and their relative capabilities, the Division does not concur that six months to "select" a contractor is reasonable. Even with bureaucratic zeal and "required" paperwork, it is extremely difficult to envision a six month effort. Additionally, three months to prepare and gain approval for a Health and Safety plan is excessive considering it will largely be a "boilerplate" document. How long would it take to include a few specifics relative to a new, but nearly identical, drilling effort? An additional seven months contingency is absurd when six months is allowed for the selection process. When it takes two months to implement a program and up to sixteen months to prepare, the need for change is evident. The Division will expect DOE to perform this function in a reasonable time and will not be receptive to delays in well installations that result in an insufficient period of time to collect baseline data prior to the commencement of D&D activities and; thereby, jeopardize the value of the data comparisons to ensure a demonstration of protection.

Relative to the second response item, the Division is concerned that a process and a specific DOE organization responsible for implementation are undefined. DOE should amend the document to clarify how the DD will be implemented, how that implementation effort will be conveyed and approved by the regulators and the organization within DOE responsible for implementation and regulatory interaction. A possible means of conveying periodic updates on the effort would be through Technical Memoranda (TMs) to the IM/IRA submitted to the agencies for review and approval on an expedited basis.

Response to Comment 14: The issues relative to implementation and DOE organizational responsibility also apply to the surface water plan. See discussion at "Response to Question 13".

Colorado Department of Health

Hazardous Materials & Waste Management Division

RE: Suggestions relative to informal draft responses on post October 14, 1994 comments to the PROPOSED INTERIM MEASURE/INTERIM REMEDIAL ACTION DECISION DOCUMENT for the ROCKY FLATS INDUSTRIAL AREA, dated September, 1994.

Preface: DOE has provided the Division with informal draft responses to comments received after the cutoff date for inclusion in the Draft Responsiveness Summary, dated October, 1994. (The public comment period ended on October 27, 1994; therefore the comments were timely.) It is DOE's intent to respond to the additional comments within the Final Responsiveness Summary; consequently, the Division's early input was requested.

Specific Suggestions:

General Comment of Gale Biggs:

The Plan for the Prevention for Contaminant Dispersion (PPCD) was a specific Interagency Agreement (IAG) deliverable relative to remedial activities not production operations. It has been designed to minimize the potential for wind dispersion of dusts during remedial activities. The document and its protocols remain in force and are not outdated as suggested by the commentor.

Comment II of Paula Elofson-Gardine:

The reviewer suggests that preparation of the PPCD was a public admission that the RFP was having a problem with the control of contaminated dust. Again the purpose of the PPCD was to minimize the potential for wind dispersion of dust during IAG cleanup activities.

Comment III of Paula Elofson-Gardine:

The response to this comment appears to reflect a misunderstanding of the comment. It appears the reviewer is asking that the "... incineration, combustion and thermal operations..." be monitored under the IA IM/IRA not that they be considered as potential remedial actions. The referenced units or activities, i.e. Fluidized Bed, document incinerator, 776 incinerator, etc. are no longer active; therefore, monitoring will be appropriate consistent with the objectives of the IM/IRA.