

FINAL
MEETING to DISCUSS the FINAL PROPOSED PLAN and DRAFT MODIFICATION of the
COLORADO HAZARDOUS WASTE PERMIT for the ROCKY FLATS ENVIRONMENTAL
TECHNOLOGY SITE OPERABLE UNIT 15: "INSIDE BUILDING CLOSURES"

May 10, 1995

ATTENDEES and INFORMATION ONLY ADDRESSEES

<u>NAME</u>	<u>PHONE</u>	<u>FAX</u>
D. George, DOE/ER	966-5669	966-4871
W. Fitch, DOE/ER (For info. only.)	966-4013	966-4728
T. Howell, DOE/OCC (For info. only.)	966-2027	966-3717
M. Hestmark, EPA (For info. only.)	294-1134	294-7559
A. Duran, EPA	294-1080	294-7559
M. Aguilar, EPA	293-0954	294-7559
J. Schieffelin, CDPHE (For info. only)	692-3356	782-4969
C. Spreng, CDPHE (For info. only.)	692-3358	759-5355
D. Schubbe, EG&G	966-8709	966-8556
E. Jemison, EG&G	966-2302	966-6153
R. Hyland, RTG	966-2136	966-4728
R. Hea, ERM-RM	741-5050	773-2624
J. Haasbeek, ERM-RM	741-5050	773-2624
E. Graham, ERM-RM	741-5050	773-2624

SYNOPSIS

Personnel from the EPA, CDPHE and DOE/RFFO met this date to discuss any outstanding EPA and CDPHE comments concerning the "Final Proposed Plan and Draft Modification of the Colorado Hazardous Waste Permit for the Rocky Flats Environmental Technology Site Operable Unit 15: Inside Building Closures" (FPP/DRPM). In addition, the newspaper advertisement for the Public Comment Period and the Public Hearing itself were discussed. It was originally intended to discuss the Administrative Record for OU-15 at this meeting; however, the individuals necessary for this discussion were not present at the meeting. The following is a brief synopsis of this meeting, which commenced at approximately 8:15 AM on May 10, 1995, at the EPA Region VIII - Conference Center, Dakota Room - Denver, CO.

Mr. George opened the meeting.

Mr. Schubbe asked Mr. Aguilar if the EPA had any comments or concerns relative to the FPP/DRPM.

Mr. Aguilar said that the State had provided comments (CDPHE letter dated 4-24-95) and stated that Martin (Hestmark) and Lou (Johnson) had no comments on the FPP/DRPM, and that he was waiting for an electronic mail response from Mr. DuPray. Mr. Aguilar further stated that it was highly unlikely that Mr. DuPray would have any problem with the document since the OU is non-controversial and since neither Mr. Hestmark nor Mr. Johnson had expressed any reservations.

Mr. Schubbe said that the State's comments had been incorporated into the 4-25-95 version of the FPP/DRPM document. He continued that since there are no further comments or concerns with respect to the document we should consider the FPP/DRPM to be finalized, and then directed ERM-RM to prepare the final version to go out to the public for comment.

Mr. Hea asked if the use of today's date would be satisfactory for the finalized document or was some other date required to be used.

Mr. Schubbe stated that today's date (5-10-95) would be satisfactory.

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The topic of discussion then switched to the newspaper advertisement for the Public Comment Period and the associated Public Hearing. This advertisement, in draft form, covered the Public Comment Period and Public Hearing for two OUs, OU-1 and OU-15; The 881 Hillside and Inside Building Closures respectively. All of the meeting attendees participated in the discussion of the advertisement, which subsequently expanded to include the duration of the Public Comment Period and the Public Hearing itself. This discussion, which encompassed the major portion of this meeting, concerned three basic topics, the newspaper advertisement, the length of the Public Comment Period and the Public Hearing. These topics of discussion are summarized below as follows:

A concern was raised about the fact that the newspaper advertisement included two OUs and Mr. George was uncertain as to the exact dates of the Public Comment Period for OU-1. Mrs. Jemison aided by Mr. Schubbe said that, if practical, it is desirous to combine advertisements in order to save money. It costs \$ 7.5K per add per major Denver newspaper and that by combining them a considerable sum (\$ 15K in this case) is saved. The fact was also brought out that in order to meet the proper deadlines to place the newspaper advertisement so that the Public Comment Period for OU-15 could commence on 5-17-95, the dates included in the advertisement needed to be finalized no later than this afternoon (5-10-95).

Mr. Schubbe identified the fact that for the OU-16 newspaper advertisement, certain specific language had to be included and that DOE and EG&G had been criticized by the State for not using this specific language. Mr. Schubbe indicated that certain language in the OU-16 advertisement had been "bolded" and capitalized at the States request and that the same language is not "bolded" and capitalized in the OU-15 advertisement.

Mrs. Jemison said that she would check with the State's Community Relations personnel and Mr. J. Schieffelin, CDPHE to make sure that the proper wording and type face were used for the advertisement. Mrs. Jemison continued that it was necessary to act very quickly with respect to the contents and format of the advertisement because it had to be finalized and sent to the add agency no later than the close of business today (5-10-95).

Mr. George stated that OU-15 was further along in the Proposed Plan review and approval cycle than OU-1 and that he would obtain more accurate information with respect to the status of the Proposed Plan for OU-1 and determine if it would continue to be feasible to combine the OU-1 and OU-15 newspaper advertisements.

NOTE: After the meeting concluded Mr. George evaluated the situation and determined that it was not feasible for the Public Comment Period for OU-1 to commence on 5-18-95 and that in order to meet the 5-17-95 timeframe for the start of OU-15's Public Comment Period, two advertisements would be necessary.

With respect to the Public Comment Period, Mr. Aguilar said that he had checked internally within EPA and that the consensus within the organization was that the duration for the Public Comment Period should be 60 days. He said additionally that he had discussed this with Dr. Fitch. Mr. Hyland said that due to the compressed closure schedule for OU-15, Dr. Fitch had originally wanted to utilize a 30 day Public Comment Period but that the State had specified a 45 day duration in order to meet the regulatory requirements for RCRA. If possible, Dr. Fitch would like to retain this 45 day duration. Mr. George assisted by Mrs. Jemison and others brought out the fact that CERCLA only specifies a 30 day comment period with the provision to increase this duration for up to another 30 days upon submission of a timely request to the proper authority. It was also stated during this discussion that the IAG identifies a 60 day Public Comment Period for the IM/IRA Decision Document but the duration for the Public Comment Period for the Proposed Plan is not specified. Mr. Duran said that EPA, in an internal document, had identified a 60 day period for public comment and this duration has been used almost uniformly across the board and that for consistency and public presumption the 60 day period should be used. Mr. Duran said that he would check internally within the Agency and determine if the 45 day duration would be acceptable.

NOTE: In a telephone conversation between Mr. Duran and Mr. Hyland, which occurred late the afternoon of 5-10-95, Mr. Duran said that he had conversed with Mr. Hestmark and that Mr. Hestmark would like to retain the 60 day duration for public comment in order to be consistent with past practices. Mr. Duran went on to state that if this caused any problems with meeting the September 30, 1995 Final CAD/ROD submission, then the EPA would accelerate its actions so that the date would not be missed.

NOTE: (cont.) Subsequent conversations held between Mr. Hyland, Mr. Schubbe, Mr. Haasbeck and Mr. George determined that although this 60 day duration for the Public Comment Period would be tight, it was acceptable in the light of EPA's offer of flexibility and assistance. This acceptance was conveyed to Mr. Duran by telephone late the afternoon of 5-10-95.

The last topic discussed was the Public Hearing itself. Since the hearing is being included as part of a regularly scheduled RFETS Quarterly Information Meeting (QIM) and since there would be a short presentation on OU-15 just prior to the Public Hearing, there was some question as just how to exactly identify the time period for the Public Hearing in the FPP/DRPM document and in the newspaper advertisement. It was decided that although the QIM and the OU-15 Public Hearing are being held together, they are in fact separate meetings and, as such, the OU-15 Presentation is part of the QIM not the Public Hearing. Therefore, the time for the Public Hearing should not include the time allotted for the OU-15 Presentation at the QIM.

The meeting was adjourned at approximately 9:05 AM.

Changes requested by Mr. Schubbe, EG&G via FAX transmitted 0634, 5-12-95 have been incorporated.