

Raynes, Scott

From: Jody Nelson
Sent: Thursday, April 05, 2007 6:45 AM
To: 'Rick DiSalvo'; Rick DiSalvo; Doug Hansen; George Squibb; John Boylan; Scott Surovchak
Cc: Linda Kaiser; Michelle Hanson
Subject: RE: DRAFT RFLMA required Erosion Control Plan

Thoughts:

I think a basic sentence for #5, if we want some type of quantitative or semi-quantitative measure, is something like this: The combined foliar cover of grasses, forbs, and shrubs will be at least 80% of a nearby reference area. However, let's not specify any type of method that must be used to determine this. That way we can do it however makes the most sense and is quick and easy.

On the third item Rick mentioned below about mapping the existing erosion controls that are in place, I have been thinking about that one since we initially discussed this. Rather than mapping all the currently existing controls that are in place, let's just map the ones we need to track. We can split out the ones that are for the PMJM BO versus the previous SWPPP (not stabilized) and then any new controls for new projects, but if they are old ones that are no longer needed, then why map them? Everything that has been used for erosion controls is biodegradable (except the super heavy duty stuff on the east face of the PLF and the side channels/buttress face on the OLF) and so none of them needs to be removed as they will just disappear in time. I'm not sure I see any point in mapping everything that's out there whether its needed anymore or not. I would rather keep this as simple as possible, otherwise it is going to become a nightmare to try and track and we will have to hire someone to do nothing but this.

Jody K. Nelson
Senior Ecologist
DOE Legacy Management/S.M. Stoller Corp.
Ecology Dept./PEGroup
11025 Dover Street, Suite 1000
Westminster, CO 80021
Desk: 720-377-9677
Cell: 303-994-2464
Email: Jody.Nelson@gjo.doe.gov

From: Rick DiSalvo [mailto:rjdisalvo@msn.com]
Sent: Wednesday, April 04, 2007 9:25 PM
To: Rick DiSalvo; Doug Hansen; George Squibb; John Boylan; Scott Surovchak; Jody Nelson
Cc: Linda Kaiser; Michelle Hanson
Subject: Re: DRAFT RFLMA required Erosion Control Plan

All, Jody and I discussed some of these comments and I think we can massage a little. Jody will get me some text for #5 (the draft came from the K-H Erosion Control Guidelines...). For the inspections, I'm not sure the ECP should identify anyone for inspections, but identify in the SOG who is responsible.

Are there multiple definitions of "significant precip event"? I wonder if this concept can be captured in the SOG? But, I agree, needs to be defined.

One thing we discussed is mapping the temporary erosion controls in place now (an inventory) and showing by color code, perhaps, what's stabilized, what's there under the BO or previous SWPPP but not stabilized, what's not "required" but is used as good practice, and what is there under this new RFLMA ECP. I think this would help with the inspection item - any trained person could go out and use the map to identify the status, and then the SME could evaluate for corrective actions.

| ----- Original Message -----

From: [Jody Nelson](#)
To: [Rick DiSalvo](#) ; [Doug Hansen](#) ; [George Squibb](#) ; [John Boylan](#) ; [Scott Surovchak](#)
Cc: [Linda Kaiser](#) ; [Michelle Hanson](#) ; rjdisalvo@msn.com
Sent: Wednesday, April 04, 2007 10:29 AM
Subject: RE: DRAFT RFLMA required Erosion Control Plan

Rick,

Here are a few comments on the plan.

1. Page 3, line 16. What is the simple defined purpose of the regulatory requirements – to prevent any soil from going offsite into a stream (waterbody), prevent any sedimentation of a stream (waterbody), or only some soil or sedimentation (if only some, since prevention of all is probably not achievable, at what level)? What is the allowable limit? I think it would be helpful to further define what the goal is of the regulations.
2. Page 6, line 1, item 4. I think one of the things we need to figure out is how this item is going to be implemented. Currently it is done largely as an adhoc activity, with the exception of the PMJM areas which Cindy and I do weekly as per the PBA.
3. Page 8, line 31. I assume the project field supervisor or his designee will be doing these daily inspections as the project is on going. Then after the project is over, the ongoing inspections will need to be done by someone. See comment 2 above for question on that.
4. Page 8, line 38. Do we need to define a significant precip event? I think the M&M plans for the landfills define it as 1 inch of precip in a 24 hr period.
5. Page 10, line 1. What is a perennial vegetation cover with a density of 70 percent? I think we are mixing two different measures here. Do we mean 70% vegetation cover since that would be the more common measure for this type of concern? If so, where did this number come from?

Thanks.

Jody K. Nelson
Senior Ecologist
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Email: Jody.Nelson@gjo.doe.gov

From: Rick DiSalvo
Sent: Monday, April 02, 2007 5:10 PM
To: Jody Nelson; Doug Hansen; George Squibb; John Boylan; Scott Surovchak
Cc: Linda Kaiser; Michelle Hanson; 'rjdisalvo@msn.com'
Subject: DRAFT RFLMA required Erosion Control Plan

All, the attached is my proposed draft of the ECP that is required per the CAD/ROD IC 3 prohibition for soil disturbing activity in the Central OU. This is intended to address the substantive requirements of the storm water discharge regulations, which is an ARAR.

I basically drew from the BMPs from the K-H Erosion Control Guidelines that were used in the final months of closure, after the NPDES Permit was terminated and the SWPPP component of the NPDES permit was no longer relevant. I also drew from the draft SWPPP that Darlene Delpheno drafted, which contained both the administrative (i.e., apply for and obtain permit coverage before beginning work) and substantive elements, and from the prior RFETS SWPPP under the NPDES permit. I think I addressed Jody's comments related to Darlene's draft regarding what we've typically done in implementing controls.

I still need to fix one of the appendices where a picture did not carry over, but the appendices are from the K-H Erosion Control Guidelines, so you've probably seen the pictures.

You will note there is some up front regulatory approach text and info about previous history, etc. that is meant to set the stage for the actual requirements. The approach I took is must meet substantive requirements based on when the

regulations require a permit: disturbance < 1 acre, no permit, so no controls required; between 1 and 5 acres (“small construction project”) permit, so controls required, unless it’s “maintenance” type activity; and > 5 acres (“construction project”) permit, so controls required. I tried to minimize the “bells and whistles” while addressing the substantive requirements, but some of this is a judgment call. For example, I did not include a specific inspection check list, allowing future flexibility on how to document inspections.

Since RFLMA is now in effect, this needs to be approved by EPA or CDPHE – I think we are planning on asking CDPHE for approval. With Linda’s permission, I am asking for a concurrent Stoller and DOE review, to expedite (hopefully).

Thanks!

Raynes, Scott

From: Scott Surovchak
Sent: Thursday, April 12, 2007 8:11 AM
To: Michelle Hanson; Jody Nelson; John Boylan; George Squibb; Doug Hansen; Rick DiSalvo
Cc: Linda Kaiser; 'Rick DiSalvo'
Subject: RE: Final revisions to ECP

I won't be worrying about this very much in the next few days. I wouldn't want to spill valuable beverages.

Besides, I liked it the first time. Don't let those not familiar with our methods during the closure project and now fool with this. I really don't care about consistency with UMTRA or the OH sites. We have and will continue to business a little ahead of the curve here.

From: Michelle Hanson
Sent: Wednesday, April 11, 2007 5:25 PM
To: Jody Nelson; John Boylan; George Squibb; Doug Hansen; Rick DiSalvo
Cc: Linda Kaiser; Scott Surovchak; 'Rick DiSalvo'
Subject: Final revisions to ECP

Hi all, here is red line of ECP. This fixes a number of review comments and incorporates a new appendix 1 provided by Jody (thanks!)

I'm ready to send to Darlene D for her information as to how we changed the plan she drafted to be RFLMA specific, and to Carl as draft prior to DOE submitting for approval when Scott gets back. I've spoken to Scott about this approach and he agrees.

So, take a quick look for any show stoppers and let me know so I can hopefully send out Monday.

Thanks!

Raynes, Scott

From: Darlene Depinho
Sent: Wednesday, April 18, 2007 5:17 PM
To: Rick DiSalvo
Subject: RE: Erosion Control Plan

Rick,
I have no further comments on this plan. It looks very thorough. Thanks for your help, and hopefully the regulators will not have many comments. Please copy me with their comments when and if there are any.
Thanks,
Darlene

From: Rick DiSalvo
Sent: Monday, April 16, 2007 2:51 PM
To: Darlene Depinho
Cc: Linda Kaiser; Jody Nelson; John Boylan; Michelle Hanson; 'rjdisalvo@msn.com'
Subject: Erosion Control Plan

Darlene, here is the ECP draft we have developed to address the RFLMA required ECP. The regulatory approach section explains (hopefully) how this is intended to meet the IC prohibition, ARARs, etc. as Linda and I discussed in our telecom with you.

Some of the implementing detail is included in the Site Operations Guide, which is not a regulator approved document. We will be updating the SOG details as needed for additional implementing operational guidance as needed based on feedback from CDPHE. DOE hopes to submit this for approval next week, so hopefully you can give me any feedback quickly.

Thanks!

Raynes, Scott

From: Scott Surovchak
Sent: Monday, June 18, 2007 9:03 AM
To: Rick DiSalvo; Linda Kaiser
Cc: Jody Nelson
Subject: RE: ECP

Ok.

Check the reference in the CAD/ROD to the state 10-6 stuff. I don't want to give them something they may not have, especially if it locks us toward the lower end of the residential risk range.

From: Rick DiSalvo
Sent: Monday, June 18, 2007 8:50 AM
To: Scott Surovchak; Linda Kaiser
Cc: Jody Nelson
Subject: FW: ECP

Scott, Carl stopped by last week when you were out and discussed these changes with me. These were mostly from Dan Miller's review - the biggest point Carl wanted to make is in comment 5, we must consider erosion controls in any soil disturbance we do (ECP we submitted currently says "should consider") - thus if we think there could be erosion that would negatively impact SW or lead to erosion that might uncover something that's supposed to be 3 feet under, we need to use BMPs, no matter how small an area the activity involves. He agrees that they must be implemented where construction activity is >1 acre or >5 acres for routine maintenance, to meet ARAR (40 CFR 122 permit requirements).

I think we could do an evaluation now of the areas that would could require erosion controls if we were disturbing soils even if <1 acre, like work disturbing soils on hillsides where unchecked erosion could uncover something - like 771, 371, ash pits, east trenches, etc.,

We also should also maintain a listing of the erosion controls we have put in place that are required per the ECP.

If the proposed changes look OK, I can make the edits and then well format and send a final to Carl.

-----Original Message-----

From: Carl Spreng [mailto:cspreng@smtpgate.dphe.state.co.us]
Sent: Friday, June 15, 2007 3:06 PM
To: Scott Surovchak
Cc: Mark Aguilar; Larry Kimmel; Vera Moritz; Linda Kaiser; Rick DiSalvo
Subject: ECP

Approval letter for the ECP; signed copy will follow.

Carl

ROCKY FLATS SITE SPECIFIC DOCUMENT APPROVAL RECORD

Title: Erosion Control Plan for the Rocky Flats Property Central Operable Unit

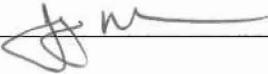
Document Date: 4/26/07 (use this date when citing document)

New Document: yes (yes or no)¹

Revision to Approved Document Dated: _____²

DOE deliverable document:	(yes or no) YES
Subject to RFLMA PARTY approval:	(yes or no) YES
Document reflects DOE or other RFLMA Party required Changes:	(yes or N/A) N/A

Document reflects internal reviews and comment resolution by: R. DiSalvo, J. Nelson, J. Boylan, D. DePinho, S. Surovcakh

Program/Project Lead Review – Document Ready for Site Manager Approval	Print name <u>Jody Nelson</u>	Date <u>4/26/07</u>
	Signature 	

DOCUMENT IS DRAFT UNTIL SITE MANAGER APPROVAL AND, IF REQUIRED, DOE ACCEPTANCE/CONCURRENCE OR RFLMA PARTY APPROVAL³

Site Manager Approval (or authorized designee)	Print name <u>Linda L. Kaiser</u>	Date <u>5/1/07</u>
	Signature <u>Linda L. Kaiser</u>	

FOR DOE DELIVERABLE DOCUMENTS NOT SUBJECT TO RFLMA PARTY APPROVAL

DOE acceptance or concurrence must be attached to this Approval Record	DOE Acceptance/concurrence Date <u>5/1/07</u>
--	--

FOR RFLMA PARTY APPROVAL DOCUMENTS

DOE Transmittal must be attached must be attached to this Approval Record	DOE Transmittal Date <u>5/1/07</u>
RFLMA Party approval must be attached must be attached to this Approval Record	Approval Date <u>6/14/07</u> w/COMMENTS

CDPNE COMMENTS INCORPORATED - Rudi Salvo 6/18/07
TRANSMITTED TO DOC PRODUCTION - 6/18/07 - FORMAT + NUMBER

¹ "No" if an existing document is being added to active record file.

² Once this revision is approved, move replaced document to inactive record file.

³ Document is maintained as DRAFT until approved. Upon approval it is moved to active record file.

Stoller

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Task Order: ST07-109-1-02-1-04-04
Control No: 1000-T07-0850

May 2, 2007

Mr. Scott R. Surovchak
LM Site Manager
U.S. Department of Energy
11025 Dover Street, Suite 1000
Westminster, Co 80021-5573

Subject: Transmittal of the final Draft of the Rocky Flats Erosion Control Plan

Dear Mr. Surovchak:

Attached is the final draft of the Rocky Flats Erosion Control Plan to implement the soil disturbance requirement of Rocky Flats Legacy Management Agreement (RFLMA). This Plan requires CDPHE approval per RFLMA, and is ready for transmittal to CDPHE.

If you have any questions or comments on the draft please call me. I may be reached at 720/377-9679.

Sincerely,



Linda L. Kaiser
Task Order Manager

Attachment

cc:
Sam Marutzky
Project File (thru rc-rocky.flats) RFS 030.02(B)



Department of Energy
Office of Legacy Management

May 1, 2007

Mr. Carl Spreng
Rocky Flats Legacy Management Agreement Project Coordinator
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Subject: Rocky Flats Legacy Management Agreement Erosion Control Plan

Dear Mr. Spreng:

Please find the enclosed two copies of the subject document for your review and approval. The Rocky Flats Legacy Management Agreement, Attachment 2, Table 4 requires DOE to submit an Erosion Control Plan for the purpose of controlling planned soil disturbance activities within the Central Operable Unit at the Rocky Flats Site.

Please contact me at (720) 377-9682 or via email if you have any questions or require additional information.

Sincerely,

Scott R. Surovchak
LM Rocky Flats Site Manager

Enclosure

cc:

L. Kaiser, Stoller
Project File: RFS 030.02(B) rc-rocky.flats

STATE OF COLORADO

Bill Ritter, Jr., Governor
James B. Martin, Executive Director

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

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Colorado Department
of Public Health
and Environment

June 14, 2007

Scott Surovchak
LM Site Manager
U.S. Department of Energy
11025 Dover Street, Suite 1000
Westminster, CO 80021-5573

RE: Erosion Control Plan

Dear Mr. Surovchak:

The Colorado Department of Public Health and Environment (CDPHE) has reviewed the Erosion Control Plan for Rocky Flats Central Operable Unit. CDPHE approves the Plan with the modifications provided for in comments on the attached sheet. CDPHE also agrees that this Plan meets the intent and purpose of the erosion control plan mentioned in Institutional Control No. 3 in the final CAD/ROD. Once these modifications have been made, CDPHE will submit notification of acceptance of the modified Plan. In the meantime, because the modifications will not substantively affect its application, the Plan may be applied as needed at the Site.

Please contact me if you have any questions concerning this approve or the comments.

Sincerely,

Carl Spreng
RFLMA Project Coordinator

cc: Linda Kaiser, Stoller
Mark Aguilar, EPA
Susan Chaki, CDPHE

**CDPHE comments on the
Erosion Control Plan for Rocky Flats Property Central Operable Unit
(April 26, 2007)**

1. Section 1.0 Introduction (page 1)

The quote of Institutional Control No. 3 in the fourth paragraph should also reference the language from page 71 of the CAD/ROD that explains that the institutional controls also help ensure compliance with the CDPHE 10^{-6} risk level.

2. Section 2.0 Regulatory Approach (page 2)

Eliminate the first sentence of paragraph 2 (“Thus the intent of this ECP...”) or modify it so that it does not imply that the ECP applies only to soil disturbances that would normally require stormwater discharge permits. The intended prohibition extends to any soil disturbance except in accordance with an approved ECP.

3. Section 3.0 Applicability (page 2)

End the first sentence in this section after “...in the Central OU.” Alternatively, modify this section so that it does not imply that the ECP applies only to soil disturbances that would normally require stormwater discharge permits.

4. Section 3.0 Applicability (page 2)

Add “(COU)”, after “Central OU” in the first paragraph since later uses of this acronym are not explained.

5. Section 4.0 Scope (page 3)

In the last sentence in this section, change “should be considered” to “must be considered” or “shall be considered”. This ECP covers any soil disturbance and is not limited to 40 CFR 122 permit requirements.

6. Section 7.0 Best Management Practices (page 5)

The intent of BMP #9 would be clearer if rewritten:

“Silt fences are not recommended as a typical practice. They create more of an illusion of protection than actual protection and their removal may actually create additional soil disturbance. If used, silt fences require heavier stakes (2 inches by 2 inches) and pores need to be kept clean.”

7. Section 9.0 Final Stabilization/Termination

In the first sentence of the second paragraph, change “will be” to “is”.

8. APPENDIX 1

In the last sentence, delete “the information”.



established 1959

Task Order: ST07-109-1-02-1-04-04
Control No: 1000-T07-1168

July 12, 2007

Mr. Scott R. Surovchak
LM Site Manager
U.S. Department of Energy
11025 Dover Street, Suite 1000
Westminster, Co 80021-5573

Subject: Transmittal of the Rocky Flats Erosion Control Plan

Dear Mr. Surovchak:

Enclosed is the July 2007 Rocky Flats Erosion Control Plan (DOE-LM/1497-2007) which incorporates the modifications requested by CDPHE in Mr. Carl Spreng's June 14, 2007, approval letter to you. In that letter, Mr. Spreng requested that the modified plan be submitted and CDPHE will then send notification that the modified plan is accepted.

If you have any questions or require additional copies for transmittal please call me. I may be reached at 720/377-9674.

Sincerely,

A handwritten signature in black ink that reads "Richard DiSalvo".

Richard DiSalvo
Assistant Project Manager

Enclosure

cc w/o enclosure
Linda Kaiser, Stoller (e)
Sam Marutzky, Stoller (e)
Project File (thru rc-rocky.flats) RFS 030.02(B)



Department of Energy
Office of Legacy Management

July 24, 2007

Mr. Carl Spreng
Rocky Flats Cleanup Agreement Project Coordinator
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Subject: Transmittal of the July 2007 Rocky Flats Erosion Control Plan (DOE-LM/1497-2007)

Dear Mr. Spreng:

Enclosed is the July 2007 Rocky Flats Erosion Control Plan (DOE-LM/1497-2007), which incorporates the modifications requested in your June 14, 2007, approval letter. Your letter also requested that the modified plan be submitted for CDPHE acceptance.

Please send the acceptance notification at your earliest convenience.

If you have any questions or require additional information, please call me. I may be reached at (720) 377-9682.

Sincerely,

Scott R. Surovchak
LM Site Manager

Enclosure

cc:

R. DiSalvo
L. Kaiser, Stoller
Project File: RFS 030.02 B (Thru S. Willson)
Administrative File: (Thru A. Montoya)
Post Closure AR File: (Thru H. Young)

*copy B enclosure
in library*

Raynes, Scott

From: Carl Spreng [cspreng@smtpgate.dphe.state.co.us]
Sent: Friday, September 28, 2007 10:45 AM
To: Scott Surovchak
Cc: Rick DiSalvo
Subject: Erosion Control Plan

Scott:

Rick pointed out that I apparently never acknowledged the final version of the Erosion Control Plan incorporated comments. It did - it looks fine - thanks.

Carl