

Raynes, Scott (CONTR)

From: DOE Office of Legacy Management
Sent: Friday, June 03, 2011 1:35 PM
Subject: DOE, CDPHE and EPA release Proposed Plan and announce public meeting for amending Rocky Flat CAD/ROD to clarify Institutional Control language
Attachments: Prop Plan release letter_ 060311.pdf

Date: June 3, 2011

Subject: Proposed Plan for Amendment of Corrective Action Decision/Record of Decision (CAD/ROD)

Dear Rocky Flats Stakeholders,

Today, the Rocky Flats Legacy Management Agreement (RFLMA) Parties, the U.S. Department of Energy (DOE), the Colorado Department of Public Health and Environment (CDPHE), and the U.S. Environmental Protection Agency (EPA) are releasing a Proposed Plan for amending the September 29, 2006, CAD/ROD for a 30-day public review and comment period. The public review period ends on Friday, July 8, 2011.

The RFLMA Parties will host a public meeting to discuss the proposed amendments and receive verbal comments beginning at 6:30 p.m. on Thursday, June 16, 2011, at the City Park Recreation Center, 10455 Sheridan Blvd., Westminster, Colo.

The response actions selected for the Central Operable Unit in the 2006 CAD/ROD are institutional controls (ICs), physical controls, and continued monitoring. The RFLMA Parties are proposing to clarify the ICs in a CAD/ROD amendment because of public comments questioning the implementation of ICs related to soil disturbance and excavation activities. The IC clarifications provide a regulatory review and approval process for soil disturbance and excavation activities to ensure the objective and rationale for the ICs as stated in the 2006 CAD/ROD are met. The IC clarifications do not change the remedy and the objective and rationale for each IC is not proposed to change.

The regulatory review and approval process described in the Proposed Plan is essentially the same as that already implemented by the RFLMA Parties for soil disturbance and excavation activities covered by ICs to date. The Proposed Plan provides examples of this work and the documentation of regulatory approval in Contact Records based on RFLMA Party consultation.

The RFLMA Parties are also releasing for public review and comment in Attachment 1 of the Proposed Plan a modification to RFLMA Attachment 2, Legacy Management Requirements, to implement the proposed CAD/ROD amendment.

As stipulated in the CAD/ROD, DOE also granted an environmental covenant containing the ICs to Colorado, pursuant to Colorado law. The environmental covenant will also be modified to be consistent with the CAD/ROD amendment, once approved.

The Proposed Plan, which includes the proposed modification to RFLMA Attachment 2, is posted on the Community Involvement page of the Rocky Flats Site website at <http://www.LM.doe.gov/Rocky_Flats/Sites.aspx?view=5>. The 2006 CAD/ROD, RFLMA, all RFLMA Contact Records, and the environmental covenant are also available on the Rocky Flats website for reference.

Written comments regarding the proposed amendment and modification must be sent on or before the end of the public review period to the following addresses for consideration by the RFLMA parties in determining what, if any, changes will be made for final approval of the amendment and modification by EPA and CDPHE.

Written comments must be submitted by one of the following methods to the address shown.

- E-mail to: rinfo@lm.doe.gov with “Rocky Flats Site Proposed Plan Comments” in the subject line
- Mail (postmarked by due date) or hand delivery to:

Rocky Flats Site Proposed Plan Comments U.S. Department of Energy
11025 Dover St. Suite 1000
Westminster, CO 80021

If you have any difficulty accessing the document from the website, or have any other questions, please e-mail Bob Darr at bob.darr@lm.doe.gov, or call (720) 377-9672, to request assistance.

Sincerely,

Scott Surovchak, DOE RFLMA Coordinator

Carl Spreng, CDPHE RFLMA Coordinator

Vera Moritz, EPA RFLMA Coordinator