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COMM. CONTROL
INCOMING LTR NO.



Department of Energy

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ROCKY FLATS OFFICE
P.O. BOX 928
GOLDEN, COLORADO 80402-0928

DATE

MAY 04 1992 MAY 7 12 03 PM '92

92-DOE-4844

ACTION	DIST.	LTR	ENC
BENJAMIN, A.			
BERMAN, H.S.			
BRANCH, D.B.			
BURLINGAME, A.H.			
CARNIVAL, G.J.			
COPP, R.D.			
CROUCHER, D.W.			
DAVIS, J.G.			
EVERED, J.E.		X	
FERRERA, D.W.			
GOODWIN, R.		X	
HANNI, B.J.			
HEALY, T.J.			
HILBIG, J.G.			
IDEKER, E.H.			
KERSH, J.M.		X	
KIRBY, W.A.			
KRIEG, D.			
KUESTER, A.W.			
LEE, E.M.			
MAJESTIC, J.R.			
MARX, G.E.		X	
MORGAN, R.V.		X	
PIZZUTO, V.M.			
POTTER, G.L.			
SANDLIN, N.B.			
SHEPLER, R.L.			
SULLIVAN, M.T.			
SWANSON, E.R.			
TIMMAN, K.G.			
WILSON, R.B.			
WILSON, J.M.			
YOUNG, E.R.			
ZANE, J.O.			

Dr. Patricia Nolan, Director
Colorado Department of Health
4210 East 11th Street
Denver, CO 80220

EG&G
ROCKY FLATS PLANT
CORRESPONDENCE CONTROL

Dear Dr. Nolan:

The purpose of this letter is to apprise you of outstanding compliance issues surrounding the generation of certain mixed wastes at the Rocky Flats Plant. We are currently discussing resolution of these issues with the U.S. Environmental Protection Agency (EPA), Region VIII, and ask that your agency support us in seeking resolution. We have notified EPA by letter (enclosed) that Rocky Flats will not operate in knowing noncompliance with the LDR provisions of RCRA, and that our efforts to remain in compliance could force partial plant shutdown, with resultant layoffs. It is therefore essential to our ongoing operations at Rocky Flats, including vital waste management operations, that these issues be resolved before May 8, 1992.

In an April 28, 1992, letter to EPA (also enclosed), we apprised them that certain wastes ("Thirds" mixed wastes) that are subject to the land disposal restriction (LDR) provisions of the Resource Conservation and Recovery Act (RCRA) would continue to be placed into storage at the Rocky Flats Plant after the May 8, 1992, date upon which these wastes would become prohibited. We also informed EPA that Rocky Flats would not have in place facilities to treat these wastes as of that date, and so could be in noncompliance with the LDR provisions of RCRA. To overcome this problem, we suggested two means by which these wastes could be incorporated into the standing LDR Federal Facility Compliance Agreement (FFCA) between EPA and ourselves. We believe that our efforts to address Thirds wastes in our ongoing waste management program demonstrates our good faith in attempting to deal with these waste forms.

If this matter cannot be resolved by May 8, 1992, preferably by incorporating Thirds wastes into the standing FFCA, we will be forced to discontinue those operations that might generate these wastes. This will result in a shutdown of numerous operations plantwide. Our operating contractor, EG&G Rocky Flats, is currently preparing a shutdown plan to address this eventuality. We anticipate that this plan will among other items call for the cessation of ongoing waste treatment activities on plantsite, and possibly ongoing remedial activities. Please note that no shutdown activity will be allowed to compromise the health and safety of the public or RFP employees. We also anticipate that we will be forced to temporarily lay off a substantial portion of our work force after May 8, 1992, until this matter can be resolved.

It is essential that this matter be resolved quickly. We sincerely believe that arriving at such a resolution is in the ultimate best interest of all parties involved, and we ask your support in our attempts to settle these issues with EPA.

Sincerely,

Terry A. Vaeth
Sr Manager

Enclosure
ADMIN RECORD

A-SW-001248

Reviewed for Addressee
Corres. Control RFP

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DATE BY

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cc w/o Enclosure:

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