

**DRAFT MASTER LIST OF POTENTIAL
FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS
ENVIRONMENTAL TECHNOLOGY SITE**

October 1994
Draft

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ARAR DEFINITION AND IDENTIFICATION

As required by CERCLA Section 121(d), remedial actions must clean up hazardous substances, pollutants, and contaminants released into the environment, and must control further releases to ensure protection of human health and the environment. This section also requires that, with respect to any hazardous substance, pollutant, or contaminant that will remain onsite, the remedial action achieve, at completion, a level or standard of control for such hazardous substance, pollutant, or contaminant which at least attains such legally applicable or relevant and appropriate standard, requirement, criterion, or limitation under Federal environmental law or any promulgated standard, requirement, criterion, or limitation under a State environmental or facility siting law that is more stringent than the Federal standard, requirement, criterion, or limitation.

The purpose of this document is to identify a master list of potential applicable or relevant and appropriate requirements (ARARs) for remedial actions being conducted at the Rocky Flats Environmental Technology Site (RFETS). The master list of potential ARARs is provided as Table 1 and will be used as the basis to select the ARARs that will need to be adhered to for the onsite remedial alternatives identified for individual Operable Units (OUs). The purpose of Table 1 is to promote consistency in the ARAR identification process at the RFETS and to facilitate the development of a consistency means to comply with the identified ARARs.

Table 1 is intended to be a tool to be used as a starting point for identifying ARARs on a remedial alternative basis. Table 1 may be too extensive for some remedial alternatives and may not include every potential ARAR for other alternatives. The NCP and EPA guidelines state that the identification of ARARs is conducted on a site-specific basis for each remedial action under consideration. The rationale as to why a particular statutory or regulatory requirement is determined to be an ARAR is to be documented for each remedial action alternative being considered during the detailed analysis of alternatives. Since chemical-specific ARARs will generally be the same for all alternatives, a single list is sufficient and does not need to be repeated for each alternative. Documentation may also be appropriate in some cases when a potential ARAR is initially identified but ultimately is determined not to be an ARAR. The factors associated with the elimination of the initially identified ARAR should be explained in sufficient detail so that the basis of the decision can be understood by the approving authority. The above documentation will be presented as an appendix to the Remedial Investigation/Feasibility Study (RI/FS) report.

The remainder of this introduction section is devoted to explaining the ARAR identification process and to provide additional details regarding the development of Table 1.

ARAR Definitions

To ensure protection of human health and the environment, and to ensure proper management of remediation waste, the lead agency, in conjunction with the supporting

agencies, is required to identify those promulgated standards, requirements, criteria, or limitations that will be met during the implementation of the remedy. The identified promulgated standards, requirements, criteria, or limitations are called ARARs. As defined in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), ARARs are as follows:

Applicable Requirements are those cleanup standards, standards of control, and other substantive requirements, criteria, or limitations promulgated under Federal environmental or State environmental or facility siting laws that specifically address a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance at a CERCLA site. Only those standards that are identified by a State in a timely manner and that are more stringent than Federal requirements may be applicable.

Relevant and Appropriate Requirements are those cleanup standards, standards of control, and other substantive requirements, criteria, or limitations promulgated under Federal environmental or State environmental or facility siting laws that, while not "applicable" to a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance at a CERCLA site, address problems or situations sufficiently similar to those encountered at the CERCLA site that their use is well suited to the particular site. Only those State standards that are identified in a timely manner and are more stringent than Federal requirements may be relevant and appropriate.

Types of ARARs

The EPA established the three ARAR categories listed below to identify and classify ARARs. The categories are used as guidance since some ARARs do not necessarily fall into this classification system. The type of ARAR is identified in the "Type" column in Table 1.

- Chemical-specific requirements are usually health- or risk-based numerical values or methodologies which, when applied to site-specific conditions, result in the establishment of numerical values. These values establish the acceptable amount or concentration of a chemical that may be found in or discharged to the ambient environment (i.e., air emissions, wastewater discharges, etc.).
- Location-specific requirements are restrictions placed on the concentration of hazardous substances solely because they occur in special locations. Typical location restrictions include areas with sensitive or unique characteristics such as wetlands, areas of historical significance, or areas situated in locations requiring special precautions because of seismic activity or floodplains.
- Action-specific requirements are usually technology- or activity-based requirements or limitations on actions taken with respect to management of the

remediation waste or closure of the facility These requirements are triggered by the particular remedial activities that are selected to accomplish a remedy.

To-Be-Considered Standards

In addition to ARARs, the lead and support agencies may, when appropriate, identify other non-promulgated advisories, criteria, or guidance documents that are To Be Considered (TBC) to supplement an ARAR provision for a particular release TBCs are typically issued by Federal or State governments, are not legally binding, and do not have the status as potential ARARs However, TBCs are used in determining the necessary level of cleanup for the protection of human health and the environment The March 8, 1990 preamble to the final NCP rule (see 55 FR 8746) indicates that the use of TBCs is discretionary rather than mandatory, however, their incorporation is recommended

State ARARs

Under the NCP, remedial actions must comply with ARARs which include State promulgated environmental regulations that are more stringent than Federal environmental requirements With respect to potential State ARARs, the term "promulgated" is defined to mean regulations of "general applicability [and] legally enforceable" [See 40 CFR 300.400(g)] The preamble to the NCP defines the term "legally enforceable" to mean State regulations issued in accordance with pertinent State procedures and that "contain specific enforcement provisions or [are] otherwise enforceable under State law" (See 55 FR 8746) This definition can be construed narrowly to mean that a statute or regulation need only contain presumptively valid enforcement "provisions" to be satisfactorily enforceable for ARAR identification purposes whether or not such provisions are valid in general or as applied to a specific remedial action

An applicable requirement applies as a matter of law to a given situation A relevant and appropriate requirement does not apply as a matter of law but addresses sufficiently similar situations (See 40 CFR 300.5) As stated above, the preamble to the NCP states that jurisdictional prerequisites are not required for a requirement to be relevant and appropriate The criteria for identifying a requirement to be relevant and appropriate can be construed to mean that, even though there may be no legal (jurisdictional) authority to impose a given regulation for a remedial action taken under CERCLA, the requirement could nonetheless qualify as relevant and appropriate by virtue of its subject matter alone

In terms of identifying more stringent State requirements as ARARs, Section 121(d)(2)(C) of CERCLA states that "[A] State standard, requirement, criteria, or limitation (including any State siting standard or requirement) which could effectively result in the statewide prohibition of land disposal of hazardous substances, pollutants, or contaminants shall not apply" unless the following conditions are met

- The State standard, requirement, criterion, or limitation is of general applicability and was adopted by formal means,
- The State standard, requirement, criterion, or limitation was adopted on the basis of hydrologic, geologic, or other relevant considerations and was not adopted for the purpose of precluding onsite remedial actions or other land disposal for reasons unrelated to protection of human health and the environment, and
- The State arranges for, and assures payment of the incremental costs of utilizing, a facility for disposition of the hazardous substances, pollutants, or contaminants

Offsite Response Actions

Offsite response actions must comply with all legally applicable requirements, both substantive and administrative. The concept of "relevant and appropriate" is not available for offsite actions [See page xvii, *CERCLA Compliance with Other Laws Manual Part I (EPA/540/G-89/006)*]. Therefore, the determination of whether the response action is either onsite or offsite is critical in determining what requirements must be complied with. The determination of whether the response action is onsite or offsite is an important consideration for air, wastewater, and underground injection discharges.

Delegation of Presidential CERCLA Responsibilities

The presidential provisions for implementing CERCLA were delegated to various federal agencies in accordance with Executive Order 12580. This Executive Order delegates certain aspects to the Secretary of Energy with respect to releases or threatened releases where either the release is on any facility or the sole source of the release is from any facility or vessel under the jurisdiction, custody, or control of the DOE. These functions must be exercised consistent with the requirements of CERCLA Section 120. [See Executive Order 12580, Section 2(d)]. CERCLA Section 120(a) states,

"Each department of the United States shall be subject to, and comply with [CERCLA] in the same manner and to the same extent, both procedurally and substantively, as any nongovernmental entity. All guidelines, rules, regulations, and criteria which are applicable [to other facilities] shall also be applicable to facilities which are owned or operated by a department of the United States. No department may adopt or utilize any such guidelines, rules, regulations, or criteria which are inconsistent with the guidelines, rules, regulations, and criteria established by the [EPA] under [CERCLA]."

Specifically with respect to the identification of ARARs and TBCs, the NCP [40 CFR 300 430(g)] states,

"The lead and support agencies shall identify requirements applicable to the release or the remedial action. If a requirement is not applicable, the requirement may still be relevant and appropriate. In addition to applicable or relevant and appropriate requirements, the lead and support agencies may, as appropriate, identify other advisories, criteria, or guidance to be considered [TBC] for a particular release."

As provided by Executive Order 12580 and defined in the NCP, the DOE is the lead agency where the release is on a facility, or the sole source of the release is from, a facility or vessel under the jurisdiction, custody, or control of the DOE. [Also see DOE's responsibilities as identified in 40 CFR 300 175(b)(5)] The support agency furnishes data, reviews documents, may concur on decision documents, and provides other assistance as requested by the Remedial Project Manager. The EPA or a state may be support agencies pursuant to an agreement. The IAG is considered the agreement that establishes the functions of the lead and support agencies. However, provisions which dictate how ARARs and TBCs are to be identified are not specified in the IAG. In the absence of these specific IAG provisions, the DOE must follow all guidelines, rules, regulations, and criteria in the same manner and to the same extent as any nongovernmental entity.

ARAR Identification Process

The process of identifying ARARs and TBCs is specified in CERCLA Section 121, 40 CFR 300 400(g), 40 CFR 300 430(e)(2), and 40 CFR 300 515(d). In addition to the above-mentioned statutory and regulatory requirements, the EPA has published the following guidance documents for identification of ARARs and TBCs:

- *CERCLA Compliance with Other Laws Manual Interim Final (EPA/540/G-89/006)*, August 1988,
- *CERCLA Compliance with Other Laws Manual - Part II Clean Air Act and Other Environmental Statutes and State Requirements (EPA/540/G-89/009)*, August 1989,
- *Superfund LDR Guide #5 - Determining When Land Disposal Restrictions Are Applicable to CERCLA Response Action (OSWER 9347 3-05FS)*, July 1989,
- *Superfund LDR Guide #7 - Determining When Land Disposal Restrictions Are Relevant and Appropriate to CERCLA Response Action (OSWER 9347 3-07FS)*, December 1989,

- *ARARs Q&As Compliance with Federal Water Quality Criteria (OSWER 9234 2-09/FS)*, June 1990,
- *ARARs Q&As Compliance with the Toxicity Characteristics Rule Part 1 (OSWER 9234 2-08/FS)*, May 1990,
- *ARARs Q&As General Policy RCRA, CWA, SDWA (OSWER 9234 2-01/FS)*, May 1989,
- *ARARs Q&As The Fund-Balancing Waiver (OSWER 9234 2-13/FS)*, January 1991,
- *CERCLA Compliance with Other Laws Manual RCRA ARARs - Focus on Closure Requirements (OSWER 9234 2-04/FS)*, October 1989, and
- *CERCLA Compliance with Other Laws Manual Overview of ARARs - Focus on ARAR Waivers (OSWER 9234 2-03/FS)*, December, 1989

The process of identification of ARARs is described and graphically depicted in Section 1 2 4 of the *CERCLA Compliance with Other Laws Manual Interim Final (EPA/540/G-89/006)*, August 1988. In general, the identification process involves a two-part evaluation to determine if the promulgated environmental requirement is applicable or, if not applicable, relevant and appropriate.

The first step in this process is to determine if the requirement is applicable. The basic criterion for determining if a requirement is applicable is that it directly and fully addresses or regulates the hazardous substance, pollutant, contaminant, action being taken, or other circumstance at the site. To determine if the particular requirement is legally applicable, it is necessary to refer to the terms, definitions, and jurisdictional prerequisites of the statute or regulation. All pertinent jurisdictional prerequisites must be met for the requirement to be applicable. In addition, previous court decisions could also play an important role in determining if a particular requirement is applicable.

If the requirement is not applicable, the second step is to decide if it is both relevant and appropriate. The basic considerations to make this decision are to determine if the requirement 1) regulates or addresses problems or situations sufficiently similar to those encountered at the CERCLA site (i.e., relevance), and 2) is appropriate to the circumstances of the release or threatened release such that its use is well suited to the particular site. Determining if requirements are relevant and appropriate is site-specific and must be based on best professional judgement including the characteristics of the remedial action, the hazardous substances present at the site, and the physical circumstances of the site and of the release. The site-specific conditions must be compared to the statutory or regulatory requirements. The EPA further clarifies that requirements determined to be relevant and appropriate do not need to be legally enforceable (see 58 FR 8743).

**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
<p>CLEAN AIR ACT (CAA) [42 USC 7401 et. seq.]</p>			
<p>AMBIENT AIR QUALITY STANDARDS</p> <ul style="list-style-type: none"> • Sulfur Dioxide • Particulate Matter (PM10) • Carbon Monoxide • Ozone • Nitrogen Dioxide • Lead • Total Suspended Particulates 	<p>5 CCR 1001-14 [40 CFR 50]</p>	<p align="center">C</p>	<p>Ambient air quality standards are considered to be chemical-specific ARARs to assess the quality of ambient air and the need to remediate a particular IHSS to maintain the quality of the ambient air. RFETS is located in a non-attainment zone for particulate matter and ozone.</p> <p>Ambient air quality standards are not effluent discharge limitations, they are used in conjunction with air dispersion modeling to establish discharge limits that are protective of air quality.</p>
<p>COLORADO AIR POLLUTION REGULATIONS</p> <ul style="list-style-type: none"> • Emission Control Regulations for Particulates, Smokes, Carbon Monoxide, and Sulfur Oxides - Particulates - Emission Monitoring Requirements for Existing Sources - Sulfur Dioxide Emission Regulations • Odor Emissions • Standards of Performance for New Stationary Sources • Emissions of Volatile Organic Compounds • Emissions of Ozone-Depleting Compounds 	<p>5 CCR 1001 [40 CFR 52, Subpart G]</p> <p>Regulation No 1</p> <p>Regulation No 2</p> <p>Regulation No 6</p> <p>Regulation No 7</p> <p>Regulation No 15</p>	<p align="center">A</p>	<p>Regulation No 1, Section III D(2)(b), (e), (f), and (h) requires control measurements to be implemented for construction activities, haul roads, haul trucks, and demolition activities, respectively, to prevent the emission of fugitive particulates in excess of air standards. Other portions of Regulation No 1 would be an ARAR only if the remedial action involves the specific emission source regulated.</p> <p>Regulation No 2 prohibits odorous air contaminants from any single source to be emitted in detectable odors which are measured in excess of the air standards.</p> <p>Regulation Nos 6, 7, and 15 would be an ARAR only if the remedial action involves the specific emission source regulated.</p>

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
CLEAN AIR ACT (CAA) [42 USC 7401 et. seq.]			
<p>NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS</p> <ul style="list-style-type: none"> • National Emission Standards for Emissions of Radionuclides Other Than Radon From Department of Energy Facilities <ul style="list-style-type: none"> - Standard - Emission Monitoring and Test Procedures - Compliance and Reporting • National Emission Standards for Radon Emissions from Department of Energy Facilities <ul style="list-style-type: none"> - Standard - Exemption from the Reporting and Testing Requirements of 40 CFR 61.10 • Control of Hazardous Air Pollutants 	<p>40 CFR 61, Subpart H 92 93 94</p> <p>40 CFR 61, Subpart Q 192 193</p> <p>Regulation No. 8</p>	<p>A</p>	<p>Demonstration of compliance with 40 CFR 61.92 is performed on a site-wide basis taking into consideration all RFETS sources. Stack monitoring is required for all release points which could contribute greater than 0.1 mrem/yr.</p> <p>40 CFR 61.192 was developed primarily for UMTRA sites. Application of the standard to the container storage of waste within structures is questionable.</p> <p>Regulation No. 8 would be an ARAR only if the remedial action involves the specific emission source regulated.</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

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**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
<p align="center">COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA) [42 USC § 9601 et. seq.]</p> <p>WORKER PROTECTION, HAZARDOUS SUBSTANCES</p> <ul style="list-style-type: none"> • Compliance with OSHA • Health and Safety Programs 	<p>40 CFR 300</p> <p>150(a) and (e)</p> <p>150(b) and (c)</p>	<p align="center">A</p>	<p>Although worker protection standards are not considered ARARs (see 55 FR 8680), 40 CFR 300 150 specifically requires that all response actions under the NCP maintain worker safety and health as specified under 29 CFR 1910 120 This regulation is being listed for completeness and to ensure that it is not overlooked when preparing implementation plans for the selected remedial action</p>
<p>OFFSITE RESPONSE ACTIONS</p> <ul style="list-style-type: none"> • Applicability • Acceptability Criteria <ul style="list-style-type: none"> - Criteria for Offsite Facility Compliance - Addressing Releases • Determination of Acceptability • Determination of Unacceptability • Unacceptability • Re-evaluating Unacceptability 	<p>40 CFR 300</p> <p>440(a)</p> <p>440(b)</p> <p>440(b)(1)</p> <p>440(b)(2)</p> <p>440(c)</p> <p>440(d)</p> <p>440(e)</p> <p>440(f)</p>	<p align="center">A</p>	<p>Per Paragraph 124 of the IAG, disposal of hazardous substances off-site shall comply with DOE's Policy on Off-Site Transportation, Storage, and Disposal of Nonradioactive Hazardous Waste, dated June 24, 1986, and the EPA Off-Site Response Action Policy, dated May 6, 1985, 50 Fed Reg 45933 (November 5, 1985), as amended by EPA's November 13, 1987, "Revised Procedures for Planning and Implementing Off-Site Response Actions" and as subsequently amended [NOTE The last two mentioned EPA Offsite Policies were promulgated as 40 CFR 300 440 The promulgated regulations will be followed in lieu of the cited EPA policies]</p> <p>The purpose of EPA's offsite requirements is to avoid having CERCLA wastes contribute to the present and future environmental problems by directing wastes to facilities determined to be environmentally sound Although this requirement is not an ARAR in the strictest sense, it is being listed for completeness and to ensure that it is not overlooked when preparing implementation plans for the selected remedial action</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>FEDERAL WATER POLLUTION CONTROL ACT {aka Clean Water Act (CWA)} [33 USC 1251 et. seq.]</p> <p>WATER QUALITY CRITERIA - GOLD BOOK</p>	<p>33 USC 1314 (CWA Section 304)</p>	<p>C</p>	<p>The "Gold Book" presents guidelines with respect to water quality criteria for toxic pollutants. Criteria are published for aquatic and human health. The water quality criteria are not promulgated standards, however, they are established guidelines used for developing NPDES permits and may be considered potentially relevant and appropriate. WQC should not be used as effluent limits, rather discharge limits should be established either through the NPDES or UIC permitting process.</p> <p>Although water criteria are non-promulgated and non-enforceable standards, Section 121(d)(2)(B)(i) of CERCLA as implemented by the NCP (40 CFR 300.430(e)(2)(E)) specifies that WQC established under Sections 303 and 304 of the CWA shall be attained where relevant and appropriate under the circumstances of the release. The designated or potential use of the surface or ground water, the environmental media affected, the purpose for which the WQC were developed, and the latest information are to be considered in determining the relevance and appropriateness of the WQC to the response action. Therefore, the need to comply with WQC as a relevant and appropriate requirement needs to be determined on a case-by-case basis using the factors listed above.</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>FEDERAL WATER POLLUTION CONTROL ACT {aka Clean Water Act (CWA)} [33 USC 1251 et. seq.]</p> <p>COLORADO BASIC STANDARDS AND METHODOLOGIES FOR SURFACE WATER</p> <ul style="list-style-type: none"> • Antidegradation Rule • Water Quality-Based Designations • Basic Standards Applicable to Surface Waters of the State <ul style="list-style-type: none"> - Descriptive Standards for Substances from Point and Nonpoint Sources - Standards for Radioactive Materials - Standards for Organics • Salinity and Suspended Solids • State Use Classifications <ul style="list-style-type: none"> - Classifications - Areas Requiring Special Protection • Testing Procedures <ul style="list-style-type: none"> - Introduction - Numeric Levels - Standard Test Procedures - Bioassay Procedures 	<p>5 CCR 1002-8</p> <p>3 1 8, (2)</p> <p>3 1 11, (1)</p> <p>3 1 11, (2)</p> <p>3 1 11, (3)</p> <p>3 1 12</p> <p>3 1 13, (1)</p> <p>3 1 13, (3)</p> <p>3 1 16, (1)</p> <p>3 1 16, (2)(a)</p> <p>3 1 16, (2)(b)</p>	<p>C</p>	<p>The statewide surface water quality standards are potentially relevant and appropriate as required per NCP (40 CFR 300 430(e)(2)(i)(E)) in consideration of the circumstances of the release. Should the surface waters at RFETS be diverted around Stanley Lake the existing use classification would not be considered relevant and appropriate. DOE also intends to file a formal petition with the Colorado Water Quality Commission to change the use classification.</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

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**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
FEDERAL WATER POLLUTION CONTROL ACT {aka Clean Water Act (CWA)} [33 USC 1251 et. seq.]			
COLORADO BASIC STANDARDS FOR GROUND WATER	5 CCR 1002-8, 3 11 4 (A) 3 11 4 (B) 3 11 4 (C) 3 11 5 (A) 3 11 5 (B) 3 11 5 (C) 3 11 6 (A) to (E)	C	The statewide ground water standards may be considered relevant and appropriate. The point of compliance for the ARARs may be established at the RPETS site boundary. Site-specific standards (Section 3 12 5) are not considered to be ARARs.
<ul style="list-style-type: none"> • Classifications of Ground Water - Ground Water Classifications - Criteria Used to Identify Classifications for Ground Water - Specified Area • Ground Water Quality Standards - Narrative Standards - Numerical Standards - Statewide Standards • Point of Compliance 			
COLORADO DISCHARGE PERMIT SYSTEM REGULATIONS	5 CCR 1002-2, [40 CFR 122, Subpart B] 6 5 0 6 6 1 (5)	A	Effluent limitations may be applicable to point-source discharges to surface water, however, a permit is not required for onsite actions. Technology based standards may be relevant and appropriate on a case-by-case basis, but not applicable because specific design and operating requirements can not be linked to specific remedial technologies.
<ul style="list-style-type: none"> • Application for a Permit • Review of an Application 			
TOXIC POLLUTANT EFFLUENT STANDARDS	40 CFR 129 4 40 CFR 129 5	A	
<ul style="list-style-type: none"> • Toxic Pollutants • Compliance 			
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM REGULATIONS	40 CFR 125 102 40 CFR 125 104	A	These subparts are applicable to storage and use of products that contain toxic and hazardous pollutants above reportable quantity limitations, at a facility covered by an NPDES permit.
<ul style="list-style-type: none"> • Applicability of Best Management Practices • Best Management Practices Programs 			

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

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Requirement	Citation	Type	Comment
FEDERAL WATER POLLUTION CONTROL ACT {aka Clean Water Act (CWA)} [33 USC 1251 et. seq.]			
DISCHARGES OF DREDGED OR FILL MATERIAL INTO WATERS OF THE UNITED STATES • Discharges Requiring Permits	33 USC 1344 40 CFR 323.3	A	
DOE COMPLIANCE WITH FLOODPLAIN/WETLANDS ENVIRONMENTAL REVIEW REQUIREMENTS • Floodplain/Wetlands Determination • Floodplain/Wetlands Assessment • Applicant Responsibilities	10 CFR 1022 11 12 13	A	

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

7/48

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
HAZARDOUS MATERIALS TRANSPORTATION ACT (HMTA) [49 USC 1801 et. seq.]			
<p>HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIAL COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, AND TRAINING REQUIREMENTS</p> <ul style="list-style-type: none"> • General • Table of Hazardous Material and Special Provisions • Shipping Papers • Marking • Labeling • Placarding • Emergency Response Information • Training 	<p>49 CFR 172</p> <p>Subpart A Subpart B Subpart C Subpart D Subpart E Subpart F Subpart G Subpart H</p>	A	
<p>SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS</p> <ul style="list-style-type: none"> • General • Preparation of Hazardous Materials for Transportation • Definitions, Classification and Packaging for Class 1 • Definitions, Classification, Packaging Group Assignments and Exceptions for Hazardous Material Other Than Class 1 and Class 7 • Non-bulk Packaging for Hazardous Materials Other Than Class 1 and Class 7 • Bulk Packaging for Hazardous Materials Other Than Class 1 and Class 7 • Gases, Preparation and Packaging • Radioactive Materials 	<p>49 CFR 173</p> <p>Subpart A Subpart B Subpart C Subpart D Subpart E Subpart F Subpart G Subpart I</p>	A	

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

18/48

**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
HAZARDOUS MATERIALS TRANSPORTATION ACT (HMTA) [49 USC 1801 et. seq]			
CARRIAGE BY PUBLIC HIGHWAY <ul style="list-style-type: none"> • General Information and Regulations • Loading and Unloading • Segregation and Separation Chart of Hazardous Materials • Vehicles and Shipments in Transit, Accidents • Regulations Applying to Hazardous Material on Motor Vehicles Carrying Passengers for Hire 	49 CFR 177 Subpart A Subpart B Subpart C Subpart D Subpart E	A	For the purposes of this project, it is assumed that all hazardous waste transportation will be conducted by truck over the highway system
SPECIFICATIONS FOR PACKAGINGS <ul style="list-style-type: none"> • Specifications for Inside Containers, and Linings • Specifications for Cylinders • Specifications for Portable Tanks • Specifications for Containers for Motor Vehicle Transportation • Specifications for Packagings for Class 7 (Radioactive) Materials • Non-bulk Performance-oriented Packaging Standards • Testing of Non-bulk Packagings and Packages 	49 CFR 178 Subpart B Subpart C Subpart H Subpart J Subpart K Subpart L Subpart M	A	

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

19/48

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
NATURAL RESOURCE AND WILDLIFE PROTECTION LAWS			
ENDANGERED SPECIES ACT (ESA) [16 USC 1531 et seq.]			
BIOLOGICAL ASSESSMENT	50 CFR 402	L	Substantive compliance with ESA means the lead federal agency must identify whether a threatened or endangered species or its critical habitats will be affected by a proposed action. If so, the federal agency must avoid the action or take appropriate mitigative measures. Although many of the ESA regulations are administrative and procedural in nature (i.e., consultation) and therefore are not an ARAR, EPA strongly recommends consultations with EPA due to the agency's inherent expertise and reliability with this assessment.
<ul style="list-style-type: none"> • Purpose • Preparation Requirements • Request for Information • Director's Response - No Listed Species or Critical Habitat Present - Listed Species or Critical Habitat Present • Verification of Current Accuracy of Species List • Contents • Identical/Similar to Previous Action • Completion Time • Submission of Biological Assessment • Use of Biological Assessment 	12(a) 12(b) 12(c) 12(d) 12(d)(1) 12(d)(2) 12(e) 12(f)(1) to (5) 12(g) 12(i) 12(j) 12(k)		
INTERAGENCY COOPERATION	50 CFR 402	L	The appropriate federal and state wildlife protection agencies will be consulted to ensure that proposed remedial actions adequately address the protection of endangered and threatened species and critical habitats.
<ul style="list-style-type: none"> • Informal Consultation • Formal Consultation 	13(a),(b) 14(a)-(l)		
LISTING ENDANGERED AND THREATENED SPECIES AND DESIGNATING CRITICAL HABITAT	50 CFR 424	L	A Threatened and Endangered Species Evaluation Report dated April 4, 1991 was prepared by EG&G Environmental Restoration, NEPA Division. The identified threatened or endangered wildlife species identified include the Bald Eagle, Peregrine Falcon, Whooping Crane, and Black-Footed Ferret. Ongoing investigations may identify additional threatened or endangered species. Contact Marsha Murdock for an RFPETS threatened or endangered species list update.
<ul style="list-style-type: none"> • Factors for Listing, Delisting, or Reclassifying Species • Criteria for Designating Critical Habitat 	11 12		

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

20/48

**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
NATURAL RESOURCE AND WILDLIFE PROTECTION LAWS			
ENDANGERED AND THREATENED WILDLIFE AND PLANTS <ul style="list-style-type: none"> • List of Endangered and Threatened Wildlife • List of Endangered and Threatened Plants • Interagency Cooperation Critical Habitats • Interagency Cooperation Critical Habitats - Fish and Wildlife • Interagency Cooperation Critical Habitats - Plants 	50 CFR 17 12 94 95 96	L	Per the Threatened and Endangered Species Evaluation Report, the following plants may need special consideration in planning remedial actions Forktip Threawn, Colorado Butterfly Plant, Toothcup, and Dilluvium Lady's Tresses
MIGRATORY BIRD TREATY AND EAGLE PROTECTION ACTS [16 USC 701-715, CRS 33-1-115, and 16 USC 668 et. seq.]			
TAKING, POSSESSION, TRANSPORTATION, SALE, PURCHASE, BARTER, EXPORTATION, AND IMPORTATION OF WILDLIFE AND PLANTS <ul style="list-style-type: none"> • Purpose of the Act • List of Migratory Birds • Law Enforcement Offices • Civil Procedures 	50 CFR 10 1 50 CFR 10 13 50 CFR 10 22 50 CFR 11	L	
BALD AND GOLDEN EAGLES <ul style="list-style-type: none"> • Prohibited Acts, Criminal Penalties • Civil Penalties • Cancellation of Grazing Agreements • Taking and Using of the Bald Eagle for Scientific, Exhibition, and Religious Purposes • Enforcement Provisions 	16 USC 668(a) 16 USC 668(b) 16 USC 668a 16 USC 668b 16 USC 668c	L	

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

2/148

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
NATURAL RESOURCE AND WILDLIFE PROTECTION LAWS			
COLORADO NONGAME, ENDANGERED, OR THREATENED SPECIES CONSERVATION ACT [CRS 33-2-101 to 33-2-107]			
<ul style="list-style-type: none"> • Willful Destruction of Wildlife • Damage or Destruction of Dens or Nests - Harassment of Wildlife 	CRS 33-6-117 CRS 33-6-128	L	
COLORADO NONGAME WILDLIFE			
<ul style="list-style-type: none"> • Protected Species • Endangered Wildlife - Designation of Species • Threatened Wildlife - Designation of Species • Nongame Wildlife - Designation of Species 	2 CCR 406-8 Article I, #1000 Article II, #1002 Article III, #1003 Article IV, #1004	L	

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

22/48

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
NATURAL RESOURCE AND WILDLIFE PROTECTION LAWS			
NATIONAL HISTORIC PRESERVATION ACT (NHPA) [16 USC 470 et. seq. and CRS 24-80-401 to 410]			
IDENTIFYING HISTORIC PROPERTIES	36 CFR 800		
<ul style="list-style-type: none"> • Assessing Information Needs • Locating Historic Properties • Evaluating Historical Significance • Historic Property Found 	4(a)(1)(i), (iii)(a)(2) 4(b) 4(c), 60 4 4(e)	L	
ASSESSING EFFECTS OF THE ACTIVITY ON THE PROPERTY	36 CFR 800 5(a)-(e)	L	
CRITERIA OF EFFECTS AND ADVERSE EFFECT	36 CFR 800 9(a)-(c)	L	
PROTECTING NATIONAL HISTORIC LANDMARKS	36 CFR 800 10	L	
HISTORIC PROPERTIES FOUND DURING IMPLEMENTATION	36 CFR 800 11	L	
EMERGENCY ACTIONS	36 CFR 800 12	L	
PRESERVATION OF AMERICAN ANTIQUITIES	43 CFR 3	L	
PROTECTION OF ARCHEOLOGICAL RESOURCES	43 CFR 7	L	

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

24/48

8452

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
NATURAL RESOURCE AND WILDLIFE PROTECTION LAWS			
ARCHAEOLOGICAL RESOURCES PROTECTION ACT [16 USC 470, Chapter 1B]			
PROTECTION OF ARCHAEOLOGICAL RESOURCES UNIFORM REGULATIONS <ul style="list-style-type: none"> • Purpose • Authority • Definitions • Prohibited Acts • Permit Requirements and Exceptions • Application for Permits and Information Collection • Notification to Indian Tribes of Possible Harm to, or Destruction of, Sites on Public Lands Having Religious or Cultural Importance • Issuance of Permits • Terms and Conditions of Permits • Suspension and Revocation of Permits • Appeals Relating to Permits • Relationship to Section 106 of the National Historic Preservation Act • Custody of Archeological Resources • Determination of Archeological or Commercial Value and Cost of Restoration and Repair • Assessment of Civil Penalties • Civil Penalty Amounts • Other Penalties and Rewards • Confidentiality of Archeological Resource Information • Report 	36 CFR 296 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	L	

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

20/48

**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
NATURAL RESOURCE AND WILDLIFE PROTECTION LAWS			
ARCHAEOLOGICAL AND HISTORICAL PRESERVATION ACT (AHPA) [16 USC 469a-1]			
<ul style="list-style-type: none"> • Notification and Request for Preservation of Data • Survey conducted, Preservation of Data, Compensation 	16 USC 469a-1(a) 16 USC 469a-1(b)	L	Differs from NHPA in that it encompasses a broader scope of resources than those listed on the National Register and requires only preservation of the data (including analysis and publication)

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
SAFE DRINKING WATER ACT (SDWA) [42 USC 300f et. seq.]			
COLORADO PRIMARY DRINKING WATER REGULATIONS			
<ul style="list-style-type: none"> • MCL for Microbiological Contaminants • MCL for Turbidity • MCLs for Inorganic Chemicals • MCLs for Organic Chemicals <ul style="list-style-type: none"> - MCL for Chlorinated Hydrocarbons and Chlorophenoxys - MCL for Total Trihalomethanes - MCLs for Volatile Synthetic Organic Chemicals • MCLs for Radioactivity <ul style="list-style-type: none"> - MCLs for Radium-226, Radium 228, and Gross Alpha Particle Activity in Community Water Systems - MCLs for Beta Particle and Photon Radioactivity From Man-Made Radionuclides in Community Water Systems 	5 CCR 1003-5, [40 CFR 141] 3 1 2 4 1 1 5 1 1 6 1 1 6 2 1 6 3 1 7 1 1 7 1 2	C	These regulations may be relevant and appropriate to both surface and ground water under their current use classifications. Because the Laramia-Fox Aquifer is a viable drinking water supply, MCLs would be relevant and appropriate. Similarly, surface water segments 4 and 5 possess drinking water supply use classifications, so MCLs would likely be relevant and appropriate.
MAXIMUM CONTAMINANT LEVEL GOALS			
<ul style="list-style-type: none"> • MCLGs for Organic Contaminants • MCLGs for Inorganic Contaminants • MCLGs for Microbiological Contaminants 	40 CFR 141 50 51 52	C	Non-zero MCLGs would also be relevant and appropriate to those resources possessing drinking water supply use classifications. MCLGs equal to zero establish unattainable goals and are therefore not ARARs according to the NCP.

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

17/48

**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p>			
<p>The State of Colorado is authorized to administer portions of the hazardous waste management program (e.g., RCRA) to regulate the generation, treatment, storage, and disposal of hazardous waste within Colorado. As such, the Colorado regulations would be applicable to the management of hazardous waste. These regulations may also be relevant and appropriate in situations where a remediation waste is "sufficiently similar" to a RCRA-listed waste (e.g., waste which was generated and disposed of prior to the effective date of regulation) or when the proposed remedial action is similar to a RCRA-regulated activity and would be appropriate to ensure that the activity is protective of human health and the environment. Although the Colorado hazardous waste management regulations are similar to the federal requirements, both the federal and state regulatory citations are provided for reference purposes and to denote that both federal and state requirements were considered in establishing the identifying the ARAR requirement adopted for the remediation of the RFEITS.</p> <p>In addition, Paragraph 8 of the IAG states "the Parties agree that the generation, treatment, storage, and disposal of hazardous waste at the Rocky Flats Site is regulated by the State pursuant to CHWA and regulations governing the management of hazardous wastes contained at 6 CCR 1007-3. Pursuant to section 6001 of RCRA, 42 USC § 6961, DOE agrees that as a Federal agency it must comply with the procedural and substantive requirements of such State law, except as provided by paragraphs 107 and 121, and Parts 27 (EPA-State Dispute Resolution) and 29 (RCRA/CERCLA Reservation of Rights) of the IAG. Paragraph 104 of the IAG states that RCRA and CHWA provisions set forth in this Agreement which address record keeping, reporting Submittals, regulations, permits, closure plans, or corrective action are statutory requirements and are thus enforceable by the Parties. Although administrative requirements are not normally considered ARARs under CERCLA, administrative requirements (including the submission of closure plans) have been identified in this RCRA compliance section to conform with the requirements of the IAG.</p>			
<p>SITING OF HAZARDOUS WASTE DISPOSAL SITES</p> <ul style="list-style-type: none"> • Minimum Design Performance Criteria for Off-Site Hazardous Waste Disposal Sites and On-Site Hazardous Waste Landfills • Requirements for Siting and Design of Off-Site Hazardous Waste Disposal Sites and On-Site Hazardous Waste Landfills 	<p>6 CCR 1007-2 Part 2 4 Part 2 5</p>	<p>L</p>	

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

28/4/8

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p> <p>GENERATOR STANDARDS</p> <ul style="list-style-type: none"> • Hazardous Waste Determinations • Manifesting, Pre-Transportation, and Record Keeping and Reporting Requirements <ul style="list-style-type: none"> - The Manifest - Pre-Transport Requirements - Record Keeping and Reporting 	<p>6 CCR 1007-3, 262 [40 CFR 262]</p> <p>11 21 to 23 30 to 33 40 to 43</p>	<p>A</p>	<p>Persons who generate solid wastes are required to determine if the waste is hazardous. The definition and procedures contained in 6 CCR 1007-3, 261 (40 CFR 261) are to be followed to make this determination.</p> <p>These requirements would be applicable to the transport of hazardous waste offsite. These requirements do not qualify as relevant and appropriate for remediation waste determined to be sufficiently similar to a RCRA-listed hazardous waste. The concept of "relevant and appropriate" is not available for offsite actions.</p>

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 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

29/48

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p> <p>GENERAL FACILITY STANDARDS</p> <ul style="list-style-type: none"> • Waste Analysis • Security • General Inspection Requirements • Personnel Training • General Requirements For Ignitable, Reactive, Or Incompatible Wastes • Construction Quality Assurance Program 	<p>6 CFR 1007-3, 264 Subpart B [40 CFR 264 Subpart B]</p> <p>13(a)(1) to (3) 14 15(a) to (c) 16 17(a) and (b) 19</p>	<p>A</p>	<p>Existing security measurements will be used and, where necessary, upgraded to prevent unknowing access to hazardous wastes</p> <p>Inspections will be conducted as a standard of control to prevent release of hazardous waste constituents to the environment or a threat to human health</p> <p>Corrective actions will be taken resolve deficiencies</p> <p>Personnel will be properly trained to prevent mismanagement of hazardous waste and/or regulatory violations</p> <p>Procedures will be implemented to prevent accidental ignition or reaction of ignitable or reactive waste, or the mixing of incompatible waste</p> <p>A construction QA program will be implemented for the construction of any new hazardous waste disposal site</p>

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

30/48

**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p>			
<p>GENERAL FACILITY STANDARDS (continued)</p> <p>Siting of Hazardous Waste Facilities</p> <ul style="list-style-type: none"> • Seismic Considerations • Installation Standards <ul style="list-style-type: none"> - Floodplains - Hazardous Waste Disposal 	<p>6 CCR 1007-3, 264, Subpart B [40 CFR 264, Subpart B]</p> <p>18(a) 18(b) 18(d)</p>	<p>L</p>	<p>Per the Part B Permit Application for the RFETS dated 11/28/86, the geological features and faults located in the vicinity of the RFETS are not considered to pose a seismic hazard</p> <p>Hazardous waste management facilities will not be located within a 100-year floodplain</p> <p>Hazardous waste is not to be disposed directly under or into surface water or groundwater that has a potential or existing beneficial use or that is in direct communication with an aquifer, unless said disposal is accomplished pursuant to a UIC permit</p>
<p>PREPAREDNESS AND PREVENTION</p> <ul style="list-style-type: none"> • Design and Operation of Facility • Required Equipment • Testing and Maintenance of Equipment • Access to Communications or Alarm System • Required Aisle Space • Arrangements with local Authorities 	<p>6 CCR 1007-3, 264, Subpart C [40 CFR 264, Subpart C]</p> <p>31 32 33 34 35 37</p>	<p>A</p>	<p>Hazardous waste facilities will be designed to minimize the potential for incidents. Equipment will be provided to respond to credible incidents and arrangements with emergency response units will be executed</p>

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

3/1/48

3248

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p>			
<p>CONTINGENCY PLAN AND EMERGENCY PROCEDURES</p> <ul style="list-style-type: none"> • Purpose and Implementation • Content of Plan • Emergency Coordinator • Emergency procedures 	<p>6 CCR 1007-3, 264, Subpart D [40 CFR 264 Subpart D]</p> <p>51(a) 52(a) 55 56(a) to (i)</p>	<p>A</p>	<p>The existing RFETS contingency plan will be reviewed and revised accordingly to ensure that the procedures are adequate to respond to any new conditions posed by the remedial actions and/or the operation of new hazardous waste management facilities</p>
<p>GROUND WATER PROTECTION</p> <ul style="list-style-type: none"> • Required Programs • Point of Compliance 	<p>6 CCR 1007-3, 264, Subpart F [40 CFR 264, Subpart F]</p> <p>91(a) 95</p>	<p>A</p>	<p>Groundwater monitoring will be conducted for hazardous waste for hazardous waste management units to ensure that contaminants which could adversely impact human health or the environment are not migrating into groundwaters as measured at the point of compliance</p> <p>The point of compliance for hazardous waste disposal units at which waste will remain after closure of the RFETS will be the vertical surface located at the hydraulically down gradient limit of the waste management area that extends down into the uppermost aquifer underlying the regulated units Several regulated units may be included within the waste management boundary</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p> <p>GROUND WATER PROTECTION (continued)</p> <ul style="list-style-type: none"> • Ground-Water Protection Standard • Hazardous Constituents • Concentration Limits 	<p>6 CCR 1007-3, 264, Subpart F [40 CFR 264, Subpart F]</p> <p>92 93 94(a) and (b)</p>	<p>C</p>	<p>As part of the RFI/RI and CMS/FS process, remediation goals which are protective of human health and the environment will be established for the cleanup of groundwater. The RCRA process for establishing groundwater protection standards will be incorporated when selecting the remedial goals. Included in the selection process are background concentrations, drinking water standards (e.g., MCLs), and alternative concentration limits (ACLs). It is intended to establish ACLs that will maintain the designated use of the water quality (i.e., MCLs and Colorado water quality standards - 5 CCR 1002-8, Section 3 11 5) at the RFETS property boundary (e.g., Indiana Road).</p>
<p>GROUND WATER PROTECTION (continued)</p> <ul style="list-style-type: none"> • Compliance Period • General Ground-Water Monitoring Requirements <ul style="list-style-type: none"> - Number of Wells - Casing - Sampling and Analysis Procedures - Statistical Methods Utilized 	<p>6 CCR 1007-3, 264, Subpart F [40 CFR 264, Subpart F]</p> <p>96 97(a) and (b) 97(c) 97(d) to (g) 97(h) and (i)</p>	<p>A</p>	<p>For any hazardous waste remaining onsite following the completion of closure activities, groundwater monitoring will be performed to demonstrate protectiveness of the selected remedial actions. For monitoring that is being conducted as part of a RCRA corrective action, compliance period is extended until it can demonstrate that the ground-water protection standard has not been exceeded for a period of three consecutive years. The five-year review provisions of CERCLA Section 121(c) (see 40 CFR 300 430(f)(4)(ii)) will be considered in establishing the compliance period.</p> <p>Any additional monitoring wells that are installed as a result of remedial activities for the monitoring of hazardous waste management sites will conform to existing approved RCRA groundwater monitoring program.</p>

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

33/48

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p>			
<p>GROUND WATER PROTECTION (continued)</p> <ul style="list-style-type: none"> • Detection Monitoring Program <ul style="list-style-type: none"> - Parameters or Constituents - System and Procedures - Statistical Exceedences • Compliance Monitoring Program <ul style="list-style-type: none"> - Monitoring - Installation of System - Sampling Procedures and Statistical Methods - Evidence of Increased Contamination - Flow Rates • Corrective Action Program <ul style="list-style-type: none"> - Compliance with Groundwater Protection Standard - Prevent Hazardous Constituents from Exceeding Concentration Limits - Time Frame - Groundwater Monitoring - Corrective Action Measures • Corrective Action for Solid Waste Management Units 	<p>6 CCR 1007-3, 264, Subpart F [40 CFR 264, Subpart F]</p> <p>98(a) 98(b) to (f) 98(g)</p> <p>99(a) 99(b) 99(c), (f), and (g) 99(d) 99(e)</p> <p>100(a) 100(b)</p> <p>100(c) 100(d) 100(e) and (f)</p> <p>101(a) and (c)</p>	<p style="text-align: center;">A</p>	<p>Per the IAG, the RCRA corrective action provisions are being integrated with the CERCLA remedial action provisions. Therefore, the Parties intend that compliance with activities covered by the IAG will be deemed to achieve compliance with CERCLA, 42 USC § 9601 et seq., to satisfy the corrective action requirements of sections 3004(u) and (v) of RCRA, 42 USC § 6924(u) and (v), for a RCRA permit, and section 3008(h), 42 USC § 6928(h), for interim status facilities, the closure and corrective action requirements of CHWA, and to meet or exceed all applicable or relevant and appropriate Federal and State laws and regulations, to the extent required by section 121 of CERCLA, 42 USC § 9621</p>

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

34/48

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p> <p>CLOSURE AND POST-CLOSURE</p> <ul style="list-style-type: none"> • Closure Performance Standards • Closure Plan, Amendment of Plan • Closure, Time Allowed for Closure • Disposal or Decontamination of Equipment, Structures and Soils • Certification of Closure • Survey Plat • Maintenance, Monitoring, Security, and Care • Post-Closure Use of Property • Post-Closure Plan, Amendment of Plan • Post-Closure Notices 	<p>6 CCR 1007-3, 264, Subpart G [40 CFR 264, Subpart G]</p> <p>111 112 113 114 115 116 117(a)(1) and (b) 117(c) 118 119</p>	<p>A</p>	<p>Paragraph 15B of the IAG states that it is intended to close such TSD Units in accordance with State approved closure plans and other laws and regulations, and require post-closure care when necessary in accordance with post-closure permits or approved plans and other laws and regulations</p> <p>Paragraph 91 requires DOE to submit closure plans in accordance with the IAG Statement of Work. The submission of an IM/IRA is deemed to fulfill the IAG requirement for the submission of a closure plan</p> <p>Both the substantive and procedural requirements for closure and post-closure of TSD units will be complied with</p>

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p> <p>USE AND MANAGEMENT OF CONTAINERS</p> <ul style="list-style-type: none"> • Condition of Containers • Compatibility of Waste with Containers • Management of Containers • Inspections • Containment <ul style="list-style-type: none"> - Containment System Design and Operation - Containment for Ignitable or Reactive Wastes - Containment for Incompatible Wastes • Closure 	<p>6 CCR 1007-3, 264, Subpart I [40 CFR 264, Subpart I]</p> <p>171 172 173 174</p> <p>175(b) to (d) 176 177 178</p>	<p>A</p>	<p>Hazardous waste containers will be managed in accordance with approved handling procedures and be stored at RCRA permitted storage areas and/or designated temporary units. Container storage areas will be closed in accordance with approved closure plans, IM/TRA documents, or D&D plans</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

36/48

**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p>			
<p>TANK SYSTEMS</p> <ul style="list-style-type: none"> • Design and Installation of New tank Systems or Components • Containment and Detection of Releases <ul style="list-style-type: none"> - Secondary Containment - Design and Construction - Secondary Containment Devices <ul style="list-style-type: none"> -- External Liner -- Vault System -- Double-Walled Tanks -- Ancillary Equipment • General Operating Requirements • Inspections • Response to Leaks or Spills and Disposition of Leaking or Unfit-for-Use Tank Systems • Closure and Post-Closure Care • Special Requirements for Ignitable or Reactive Wastes • Special Requirements for Incompatible Wastes 	<p>6 CCR 1007-3, 264, Subpart J [40 CFR 264, Subpart J]</p> <p>192</p> <p>193(a) and (b)</p> <p>193(c)</p> <p>193(d)</p> <p>193(e)(1)</p> <p>193(e)(2)</p> <p>193(e)(3)</p> <p>193(f)</p> <p>194</p> <p>195</p> <p>196</p> <p>197</p> <p>198</p> <p>199</p> <p align="center">A</p>		<p>Either existing or new tank systems will be used to treat or store hazardous waste generated as a result of remedial activities. Existing tank systems will only be used if it is determined that the tank system is adequate and has sufficient integrity to prevent failure of the tank system during the proposed new use. Existing tank systems will be closed in accordance with approved closure plans, IM/IRA documents, or D&D plans.</p>
<p>SURFACE IMPOUNDMENTS</p> <ul style="list-style-type: none"> • Monitoring and Inspection • Closure and Post-Closure Care 	<p>6 CCR 1007-3, 264, Subpart K [40 CFR 264, Subpart K]</p> <p>226</p> <p>228</p> <p align="center">A</p>		<p>All existing hazardous waste surface impoundments (e.g., Solar Evaporation Ponds) have been removed from service and are currently being closed. The closure post-closure, and construction inspection requirements are included as part of the OU4 IM/IRA.</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

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**TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE**

Requirement	Citation	Type	Comment
SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]			
WASTE PILES	6 CCR 1007-3, 264, Subpart L [40 CFR 264, Subpart L]	--	There are no current or planned waste piles at the RFETS, therefore, the Subpart L provisions are not being listed as an ARAR
LAND TREATMENT	6 CCR 1007-3, 264, Subpart M [40 CFR 264 Subpart M]	--	There are no current or planned land treatment units at the RFETS, therefore, the Subpart M provisions are not being listed as an ARAR

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p> <p>LANDFILLS</p> <ul style="list-style-type: none"> • Design and Operating Requirements <ul style="list-style-type: none"> - Liner - Run-on, Run-off, and Wind Dispersal • Action Leakage Rate • Monitoring and Inspection <ul style="list-style-type: none"> - Construction or Installation - Operation • Response Actions • Surveying and Record Keeping • Closure and Post-Closure Care • Special Requirements for Ignitable or Reactive Wastes • Special Requirements for Incompatible Wastes • Special Requirements for Bulk and Containerized Liquids • Special Requirements for Containers • Disposal of Small Containers of Hazardous Waste in Lab Packs • Special Requirements for Hazardous Wastes F020, F021, F022, F023, F026, and F027 	<p>6 CFR 1007-3, 264, Subpart N [40 CFR 264 Subpart N]</p> <p>301(a) and (c) 301(g) to (j) 302</p> <p>303(a) 303(b) and (c) 304 309 310 312 313 314 315 316</p> <p>317</p>	<p>A</p>	<p>There are no current hazardous waste landfills at the RFETS. The design, construction, operation, and closure requirements are being identified as ARARS in the event a new landfill for the management of hazardous waste is required to facilitate remedial actions. The closure requirements are also applicable to the closure of any existing hazardous waste management where hazardous waste can not totally be removed and will remain onsite.</p>

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p> <p>INCINERATORS</p> <ul style="list-style-type: none"> • Waste Analysis • Principal Organic Hazardous Constituents • Performance Standards • Operating Requirements • Monitoring and Inspections • Closure 	<p>6 CCR 1007-3, 264, Subpart O [40 CFR 264, Subpart O]</p> <p>341 342 343(a) to (c) 345 347 351</p>	<p>A</p>	<p>These regulations are ARARs for the closure of the Fluidized Bed Incinerators (Building 776), and/or the design, construction, and operation of a new incinerator system selected as the remedial solution pursuant to the FS/CMS process</p>
<p>CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS</p> <ul style="list-style-type: none"> • Corrective Action Management Units <ul style="list-style-type: none"> - Standards for Designating a CAMU - Requirements for Groundwater Monitoring - Closure Requirements for CAMUs • Temporary Units <ul style="list-style-type: none"> - Requirements for TUs - Factors for Establishing Standards for TUs 	<p>6 CCR 1007-3, 264, Subpart S [40 CFR 264, Subpart S]</p> <p>552(c) and (d) 552(e)(3) 552(e)(4) 553(b) 553(c)</p>	<p>A</p>	<p>Colorado has adopted a CAMU/TU rule. The provisions for designated CAMUs and TUs will be followed to facilitate implementation of a corrective action</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p> <p>MISCELLANEOUS UNITS</p> <ul style="list-style-type: none"> • Environmental Performance Standards <ul style="list-style-type: none"> - Groundwater and Subsurface Protection - Surface Water, Wetland and Surface Soil Protection - Air Protection • Monitoring, Analysis, Inspection, Response, Reporting, and Corrective Action • Post-Closure Care 	<p>6 CCR 1007-3, 264, Subpart X [40 CFR 264, Subpart X]</p> <p>601(a) 602(b) 602(c) 603 604</p>	<p>A</p>	<p>These standards are being listed as ARARs in the event that a miscellaneous unit is selected for the treatment of hazardous waste pursuant to the CMS/FS process</p>
<p>AIR EMISSION STANDARDS FOR PROCESS VENTS</p> <ul style="list-style-type: none"> • Standards Process Vents • Standards Closed-Vent Systems and Control Devices • Test Methods and Procedures • Record Keeping Requirements • Reporting Requirements 	<p>6 CCR 1007-3, 264, Subpart AA [40 CFR 264 Subpart AA]</p> <p>1032(a) to (c) 1033 1034 1035 1036</p>	<p>A</p>	<p>These standards will be incorporated into the design of process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations that manage hazardous wastes with organic concentrations of at least 10-ppm (by weight)</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p>			
<p>AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS</p> <ul style="list-style-type: none"> • Standards Pumps in Light Liquid Service • Standards Compressors • Standards Pressure Relief Devices in Gas/Vapor Service • Standards Sampling Connecting Systems • Standards Open-Ended Valves or Lines • Standards Valves in Gas/Vapor or Light Liquid Service • Standards Pumps and Valves in Heavy Liquid Service, Pressure Relief Devices in Light or Heavy Liquid Service, Flanges, and Other Connectors • Standards Closed-Vent Systems and Control Devices • Alternative Standards for Valves in Gas/Vapor Service or in Light Liquid Service Percentage of Valves Allowed to Leak • Alternative Standards for Valves in Gas/Vapor Service or in Light Liquid Service Skip Period Leak Detection and Repair • Test Methods and Procedures • Record Keeping Requirements • Reporting Requirements 	<p>6 CCR 1007-3, 264, Subpart BB [40 CFR 264, Subpart BB]</p> <p>1052 1053 1054 1055 1056 1057 1058</p> <p>1060 1061</p> <p>1062</p> <p>1063 1064 1065</p>	<p>A</p>	<p>These standards will be incorporated into the design of remediation equipment that contains or contacts hazardous wastes with organic concentrations of at least 10 percent by weight excluding equipment that is in vacuum service</p>

A - Action-Specific ARAR
C - Chemical-Specific ARAR
L - Location-Specific ARAR
TBC - To Be Considered

42/48

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]</p>			
CONTAINMENT BUILDINGS	6 CCR 1007-3, 264, Subpart DD [40 CFR 264 Subpart DD]	A	These standards will be incorporated into the design of a containment building that is built to facilitate the management of hazardous remediation waste
<ul style="list-style-type: none"> • Design and Operating Standards • Closure and Post-Closure Care 	1101 1102		
AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS (PROPOSED)	56 FR 33490, Proposed Rule for 40 CFR 264, Subpart CC	A	
IDENTIFICATION AND LISTING OF HAZARDOUS WASTE	40 CFR 267	A	Waste management plans will be developed to ensure compliance with the specific classes of hazardous waste (i.e., Recyclable Materials Used In a Manner Constituting Disposal, Burning for Energy Recovery, Recyclable Materials Utilized for Precious Metal Recovery, and Spent Lead-Acid Batteries Being Reclaimed) identified in this regulation

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

43/48

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq]			
SUBTITLE C: HAZARDOUS WASTE MANAGEMENT [Colorado Hazardous Waste Act (CRS §§ 25-15-101 to -217)]			
LAND DISPOSAL TREATMENT STANDARDS			
<ul style="list-style-type: none"> • General (Subpart A) <ul style="list-style-type: none"> - Dilution Prohibition as a Substitute for Treatment - Waste Analysis - Special Rules Regarding Wastes that Exhibit a Characteristic • Prohibitions on Land Disposal (Subpart C) <ul style="list-style-type: none"> - Waste Specific Prohibitions - Solvent Wastes - Waste Specific Prohibitions - Dioxin-Containing Wastes - Waste Specific Prohibitions - California List Wastes - Waste Specific Prohibitions - First Third Wastes - Waste Specific Prohibitions - Second Third Wastes - Waste Specific Prohibitions - Third Third Wastes - Waste Specific Prohibitions - Newly Listed Wastes • LDR Treatment Standards (Subpart D) <ul style="list-style-type: none"> - Treatment Standards for California List Waste - Treatment Standards Expressed as Concentrations in Waste Extract - Treatment Standards Expressed as Specified Technologies - Treatment Standards Expressed as Waste Concentrations - Variance from a Treatment Standard - Treatment Standards for Hazardous Debris • Prohibition on Storage of Restricted Waste (Subpart E) 	<p>6 CCR 1007-3, 268 [40 CFR 268]</p> <p>3</p> <p>7</p> <p>9</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>42 USC § 6924(d)(2)</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>50</p>	<p>A</p>	<p>Waste management plans will be developed to ensure compliance with the Land Disposal Restrictions. The performance requirements for hazardous waste treatment systems will be based on the LDR Treatment Standards contained in Subpart C.</p> <p>Treatment of remediation in a surface impoundment is not currently being considered.</p> <p>In addition to these regulations, EPA has recently promulgated Universal Treatment Standards and consolidated treatment standards for hazardous waste (see 59 FR 47982). This final rule is effective on December 19, 1994 in both authorized and non-authorized States. The final rule replaces the current LDR treatment standard tables contained in Subpart D. Authorized States are required to amend their regulations to obtain final authorization of the RCRA program. This final rule is considered to be an ARAR for remedial actions.</p> <p>In addition, EPA proposed a rule for the treatment of hazardous soils (see FR 48092). This proposed rule is considered to be a TBC for the treatment of contaminated soils.</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARS
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
<p>SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE D: STATE OR REGIONAL SOLID WASTE PLANS COLORADO SOLID WASTE SITES AND FACILITIES [6 CCR 1007-2, Part 1]</p>			
<p>CLOSURE AND POST-CLOSURE</p> <ul style="list-style-type: none"> • Minimum Standards <ul style="list-style-type: none"> - Closure of Solid Waste Disposal Sites and Facilities - Post-Closure Care and Maintenance Standards • Standards for Solid Waste Disposal Landfill Sites and Facilities <ul style="list-style-type: none"> - Closure - Post-Closure Care and Maintenance 	<p>Section 2 5 1 to 2 5 9 [40 CFR 258 60 (a)-(h)]</p> <p>Section 2 6 1 to 2 6 2 [40 CFR 258 61 (a)-(e)]</p> <p>Section 3 5 1 to 3 5 8 [40 CFR 258 60 (a)-(h)]</p> <p>Section 3 6 1 to 3 6 3 [40 CFR 258 61 (a)-(e)]</p>	<p>A</p>	<p>These regulations have been identified as potential ARARS with respect to closure of solid waste disposal sites in OU7</p>

A - Action-Specific ARAR
 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

45/48

TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
SOLID WASTE DISPOSAL ACT (aka: Resource Conservation and Recovery Act) [42 USC § 6901 et. seq.] SUBTITLE I. REGULATION OF UNDERGROUND STORAGE TANKS [CRS §§ 8-20-501 to -608; CRS §§ 25-18-101 to -109]			
UNDERGROUND STORAGE TANK REQUIREMENTS	7 CCR 1101-14 6 CCR 1007-5 [40 CFR 280]	A	

- A - Action-Specific ARAR
- C - Chemical-Specific ARAR
- L - Location-Specific ARAR
- TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
TOXIC SUBSTANCES CONTROL ACT (TSCA) [15 USC 2601 et seq]			
LABELING OF PCBs AND PCB ITEMS			
DISPOSAL REQUIREMENTS	40 CFR 761 40 and 45	A	Waste management plans will be developed to ensure compliance with the specific requirements for PCB waste identified in this regulation
<ul style="list-style-type: none"> • Liquid, Non-liquid PCB Waste • PCB Articles • PCB Containers • Spills • Testing Procedures 	40 CFR 761 60(a) 60(b) 60(c) 60(d) 60(g)	A	
STORAGE REQUIREMENTS FOR PCBs			
<ul style="list-style-type: none"> • Time Limits • Facility Criteria • Temporary Storage • Inspections • Container Specifications • Marking • Laboratory Sample Exemption From Manifesting 	40 CFR 761 65(a) 65(b) and (c)(3) 65(c)(1) and (4) 65(c)(5) 65(c)(6) and (7)(i) 65(c)(8) 65(i)(2)(3)	A	
INCINERATION			
<ul style="list-style-type: none"> • Liquid PCBs - Operating Requirements • Nonliquid PCBs 	40 CFR 761 70(a)(1) to (9) 70(b)(1) and (2)	A	These regulations would only be ARARs for the construction and operation of an onsite PCB incinerator, it is envisioned that this will not occur

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 C - Chemical-Specific ARAR
 L - Location-Specific ARAR
 TBC - To Be Considered

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TABLE 1 - DRAFT MASTER LIST OF POTENTIAL FEDERAL AND STATE ARARs
FOR THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

Requirement	Citation	Type	Comment
TOXIC SUBSTANCES CONTROL ACT (TSCA) [15 USC 2601 et seq]			
CHEMICAL WASTE LANDFILLS			
<ul style="list-style-type: none"> • Technical Requirements <ul style="list-style-type: none"> - Soils - Synthetic Membrane Liners - Hydrologic Conditions - Flood Protection - Topography - Monitoring Systems - Leachate Collection 	40 CFR 761 75(b)(1) 75(b)(2) 75(b)(3) 75(b)(4) 75(b)(5) 75(b)(6) 75(b)(7)	A	These regulations would only be ARARs for the construction and operation of an onsite PCB disposal cell, it is envisioned that this will not occur
DECONTAMINATION			
<ul style="list-style-type: none"> • Containers • Movable Equipment 	40 CFR 761 79(a) 40 CFR 761 79(b)	A	
PCB SPILL CLEANUP			
<ul style="list-style-type: none"> • Requirements for PCB Spill Cleanup <ul style="list-style-type: none"> - Disposal of Cleanup Debris and Materials - Determination of Spill Boundaries - Spills of < 500 ppm PCBs, Involve < 1 lb of PCBs by wt - Spills of ≥ 500 ppm PCBs, Involve ≥ 1 lb of PCBs by wt - Time Limits and Actions Within the First 24 Hours - Requirements for Decontaminating Spills in Outdoor Electrical Substations - Requirements for Decontaminating Spills in Restricted Access Areas - Sampling Requirements 	40 CFR 761 125(a)(2) 125(a)(3) 125(b)(1) 125(c)(2) to (4) 125(c)(1) 125(c)(2) 125(c)(3)(i) to (v) 130(a) to (e)	A	40 CFR 761 Subpart G is entitled <i>PCB Spill Cleanup Policy</i> and thus many of the sections in Subpart G are "to be considered" (TBC), 40 CFR 761 125 contains PCB cleanup requirements that may be considered enforceable substantive environmental standards and thus potential ARARs

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 L - Location-Specific ARAR
 TBC - To Be Considered