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## STATE OF COLORADO

## COLORADO DEPARTMENT OF HEALTH

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

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Roy Romer  
Governor

Patricia A. Nolan, MD, MPH  
Executive Director

Mr. Harry P. Mann  
EG&G  
Rocky Flats Plant  
P.O. Box 464  
Golden, Colorado 80402

Dear Mr. Mann:

Inspectors from the Colorado Department of Health, Hazardous Materials and Waste Management Division (CDH) have recently conducted a number of inspections at your facility and attended several meetings with personnel from the Rocky Flats Plant (RFP). Based on these inspections and meetings the following issues and comments have been raised.

1. Soils are being generated within Individual Hazardous Substance Sites (IHSSs) at this facility. A hazardous waste determination on soils and other environmental media generated from environmental restoration activities in IHSSs is currently being made. However, a hazardous waste determination is not being made on soils generated from other activities. These soils are being piled within the IHSS or put back into the excavation. It is the determination of the Department that a hazardous waste determination must be made on these soils at the time they are generated or before. This determination can be based on historical knowledge of the area. Based on this determination the soils must be managed accordingly.

Immediately upon receipt of this letter RFP shall cease disposing of soils and other environmental media onto or into the ground until a hazardous waste determination has been made and demonstrates that the media does not contain a hazardous waste. Within 5 days of receipt of this letter RFP shall submit to CDH a plan that will detail how RFP will make hazardous waste determinations on environmental media generated on site that are not generated from environmental restoration activities. This plan must also state the basis for how the determination will be made and how these media will be managed based on this determination.

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2. The WEMS is part of the operating record for this facility. There a number of issues that have come to the Department's attention regarding this system. There are many times when this system is down and reports are late or difficult to use. The use of this system to alert responsible parties when they are nearing the 90-day time limit will be of value when this system is able to provide the information accurately and dependably. Facility representatives have stated that work on this system is being done to ensure that this can be done. As the system has been working there are drums that exceed the 90-day time limit.

WEMS is designed to keep track of the point of generation and location of all containers of waste. This is not currently occurring. Wastes that have been combined into a single container are not tracked so that the original point of generation can be determined. Also, as in the case of the wastes currently being stored in 993A, the individual containers are not tracked in WEMS and WEMS does not list the correct place of origination. These issues have been brought up to RFP personnel and it has been stated that the issues specific to 993A will be corrected.

3. The Plant Action Tracking System (PATS) report CDH is receiving on a monthly basis has greatly improved in content but there are some issues that have not been resolved. The action dates for some of the issues are excessively long. For example, a missing or incorrect label was given an action date of three months from the time it was discovered. This issue should not be entered into the PATS system as a missing or incorrect label should be corrected immediately.

Some waste characterization issues have been given action dates as long as thirteen months. It should not take thirteen months to sample and characterize waste. Discussions with plant personnel indicate that these time frames should be reduced with the addition of outside laboratories to conduct analyses. Current information indicates that the contracted laboratory has not routinely been meeting turn-around commitments. Some generators are stating that they have been having difficulty receiving copies of the completed analytical data.

There were still some action dates listed as TBD. For some of the projects that need funding it may be appropriate to be listed as TBD, however for all others an action date should be included.

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There is no indication that anyone is routinely reviewing this information. There are a number of issues that are still open and have gone past their action dates. There is also a sense that if an action date is missed the date will be extended. There does not seem to be any valid reason for some of these extensions and the question arises as to who gives approval to changing these action dates.

There also appears to be a major time lag between when an action is completed and when PATS shows that action as completed. This time lag is sometimes many months after the action is completed.

4. The WSRIC is in a constant state of change and appears to be of limited use to generators in some of the areas. There are some waste streams that are listed as unknowns. There are also some areas where the waste that is being generated is not consistent with that listed in the WSRIC. The WSRIC must accurately reflect the wastes generated and should be the responsibility of building management.
5. The Department has concerns with the excess chemical program. CDH representatives have been briefed on this program and feel that overall the objectives are correct. However, waste characterization and management issues are of concern. It has been estimated that a large volume of waste will be generated based on this program. The ability to characterize this waste within 90 days remains of concern based on the experience of the excess chemical program that occurred previously in Building 559. Many of these chemicals had not been characterized until very recently and are being managed inappropriately. There is also a question of storage capacity for wastes generated from this program. No request for additional storage for these wastes has been received by CDH. With the large volume of waste that will be generated by this program it is hoped that the program has been developed so that wastes generated will be accurately and properly managed.
6. The number of organizations that are involved in a particular issue is sometimes quite large. Currently, there appears to be a lack of coordination among these groups. An example of this would be those groups working on characterization issues for general characterization, excess chemicals, residues, and LDR. It is difficult for CDH to determine the responsible individual or group when there are so many groups involved; particularly if they are not themselves aware of the involvement of other groups. A memorandum of understanding (MOU) is currently being prepared which RFP personnel say will better define roles of responsibility. This MOU needs to be completed as soon as possible.

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- 7. Please be advised that all non-compliances should be identified and entered into PATS and action plans with reasonable action dates developed.

If you should have any question concerning any of these issues please contact Cathy Alstatt at 692-3349 or 966-4482.

Sincerely,



Frederick R. Dowsett, Chief  
Monitoring and Enforcement Section  
Hazardous Materials and Waste Management Division

- CC: Gary Baughman, CDH
- Mike Karol, DOE
- Tom Lukow, DOE
- William Kirby, EG&G
- Tim Heydahl, EG&G
- Allen Schubert, EG&G
- Gary Potter, EG&G

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