



Rocky Mountain  
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**FACSIMILE  
MESSAGE**

Rocky Flats Environmental Technology Site  
P.O. Box 464  
Golden, Colorado 80402-0464  
Phone: 303-966-7000  
Fax: 303-966-8556

DATE: 9/5  
TO: Steve Hahr FAX NUMBER: 8244  
FROM: Don Booco FAX NUMBER: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

TOTAL NO. OF PAGES (including cover sheet): 5

COMMENTS:

Melinda Kassen's comment incorporated  
in RS (underlined).



ADMIN RECORD

BZ-A-000509

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## RESPONSIVENESS SUMMARY

*Proposed Plan/Draft Modification of the Colorado Hazardous Waste Permit for Rocky Flats Operable Unit 11: West Spray Field*

### Commenter 1 had the following comment on the Proposed Plan:

Comment 1
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**Comment:** It takes a great leap of faith to believe that OU 11 is not grossly contaminated. It is more logical to believe DOE desperately needs some positive action, but this is no way to get it. This field represents over 100 acres of otherwise beautiful landscape that has been contaminated for years by millions of gallons of toxic waste water containing high levels of nitrates, metals, radionuclides, volatile organic compounds, and semi-volatile organic compounds. The organic compounds will be assimilated with time. The nitrates may help grass to grow and reduce wind dispersion of the metals and radionuclides, but the radionuclides and some metals will be there awaiting dispersion for thousands of years.

Given the proximity of this site to the Metro Denver Area and development potential, I suggest that DOE provide more evidence of the alleged benign risks to human health. I request a copy of the Final Combined Phases RFI/RI Report and other data that may support DOE's proposal.

As you may know, the RFCC is a completely independent organization dedicated to the safe and expedient cleanup of RFETS. It is authorized under Superfund to assess technical documents regarding the cleanup of the RFETS superfund site, as in this case. Our main problem is timely notice of the preliminary design data and a copy of the final document. We would appreciate your help. Thanks for your consideration.

**Response:** The Operable Unit 11 Final Combined Phases RFI/RI Report provides a comprehensive discussion of the OU 11 field investigation, site physical characteristics, nature and extent of contamination, contaminant fate and transport, and risk assessment for human health and the environment. The RFI/RI Report provides the data relevant to the question of risk which RFETS has collected. The site believes that the data support No Action, do not support "gross contamination," and are sufficient to support conclusions that No Action is protective of human health and the environment. The potential for migration of metals and radionuclides currently at the site appears to be extremely limited. Dispersion of metals and radionuclides from the site would not constitute a release hazardous to human health or the environment since there is no significant source at OU 11 for such a release.

This report has been available for review at public reading rooms since June 26, 1995. The commenter was provided with a personal copy of the report by the CDPHE.

**Commenter 2 asked a series of questions relative to the OU 11 closure:****Question 1**

**Question:** When did the site first be considered contaminated?

**Response:** The West Spray Field was identified as a hazardous waste management unit regulated by the Resource Conservation and Recovery Act (RCRA) in 1986 because it was known to have received water containing hazardous constituents from the Solar Evaporation Ponds. Spray operations at the West Spray Field occurred from April 1982 through October 1985. Thus, the designation of the site as a hazardous waste management unit occurred soon after the termination of spray operations.

**Question 2**

**Question:** Was site considered contaminated prior to this report?

**Response:** Yes. The site has been recognized as potentially contaminated since its designation as a hazardous waste management unit under RCRA in 1986.

**Question 3**

**Question:** Was the contaminated site the full 105 acres prior to the report?

**Response:** The OU 11 boundary was established as part of the identification of the West Spray Field as a hazardous waste management unit under RCRA in 1986. Based on the operational history of the site the OU 11 boundary was established to encompass all spray areas, but not all areas within the OU 11 boundary received direct spray application. The areas that did not receive direct spray application were included in the OU 11 boundary to account for factors such as wind dispersion and runoff.

**Question 4**

**Question:** This report concludes that the site is within acceptable levels of contamination for a residential use for a 30 year estimate. Does this mean the property can be used for commercial mining for the underlying mineral owners, as was previously approved and permitted?

**Response:** OU 11 has met the criteria for No Action under the Colorado Department of Public Health and Environment (CDPHE) Conservative Risk Screen using a residential use scenario, as documented in the Final RFI/RI Report. The CDPHE Screen is designed so that any site meeting the No Action criteria is open for unrestricted use. The residential use scenario integrated into the CDPHE Screen utilizes more conservative human health exposure criteria than a mining scenario would, and therefore, human health risk under a mining scenario would be less than presented within the Final RFI/RI Report. Thus, whether commercial mining can occur at the site is not be affected by the RFI/RI Report.

**Question 5**

**Question:** Will any restrictions be placed on the site for future development?

**Response:** As stated in more detail in the response to Question 4, based on the CDPHE Screen, REETS is proposing OU 11 could be open for unrestricted use.

**Question 6**

**Question:** What is planned on being done to correct the public's perception that this area is still contaminated?

**Response:** The Final Combined Phases RFI/RI Report, Final Proposed Plan, and Final CAD/ROD are all documents available for public review. Newspaper advertisements have been published in the Denver Post and Rocky Mountain News notifying the public of the remedial alternative selected for OU 11. Additional newspaper advertisements will inform the public as to the final closure of OU 11 as documented in the Corrective Action Decision/Record of Decision (CAD/ROD).

**Question 7**

**Question:** With regard to the conclusion that there is very localized perching of ground water, will the excavation of minerals from the site affect the ground water or the saturation zone?

**Response:** This question cannot be accurately answered without knowledge of the design details of the possible mining operation. In addition this is not a DOE concern with respect to past operations at OU 11.

**Question 8**

**Question:** With regard to the conclusion that current conditions are unlikely to result in releases to the environment, would mining operations, which are not a current condition, result in such a release?

**Response:** The CDPHE Screen has shown that there is no significant source at OU 11 for a release. Therefore, a change in current conditions, such as the initiation of mining activities, could not result in the release of chemicals that constitute a threat to human health and the environment.

**Question 9**

**Question:** With regard to the statement that there is no current or imminent threat under present or projected land uses, do projected land uses include mining?

**Response:** As stated in more detail in the response to Question 4, the residential scenario integrated into the CDPHE Screen is more conservative than a mining scenario. Therefore, there is no current or imminent threat under present or potential future uses, including mining, with regard to OU 11.

**Question 10**

**Question:** Does the conclusion that there is minimal risk from dermal exposure include an assumption that mining may occur in the future and employees from a mining company may be on site excavating, etc. on a daily basis?

**Response:** As stated in more detail in the response to Question 4, the residential scenario integrated into the CDPHE Screen is more conservative than a mining scenario. Therefore, the risk from dermal exposure risk during mining would be less than the dermal exposure risk presented in the Final RFI/RI Report.

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**Question 11**

**Question:** Does the closure plan assume that mining activities could occur? The report does not address this.

**Response:** As stated in more detail in the response to Question 4, the residential scenario integrated into the CDPHE is more conservative than a mining scenario. Additionally, Clean Closure under RCRA and the No Action decision under CERCLA implies no restrictions are necessary to be protective of human health and the environment, including commercial mining restrictions.

**Commenter 3 questions the results of the RFI/RI Report as follows:**

**Comment 2**

**Comment:** The McKays believe that the Final Report is inadequate. The Final Report (June 1995) concerning Operable Unit 11 concludes that "OU 11 poses minimal health risks, assuming long term residential exposure." However, the Final Report fails to discuss at all let alone address the McKay's mineral interests or the fact that mining has been permitted. The Final Report therefore does not address whether the use of this property for the mining of gravel, clay, sand, and the like will pose any hazards to the human health or the environment. These issues need to be specifically addressed particularly as the Final Report does indicate the presence of Americium-241, Plutonium-239, 240, Tritium, and Nitrate/Nitrite in the surficial and subsurface soils. Identically, the effect of mining on the localized perched ground water noted in the Report must be specifically addressed. Finally, the Final Report does not address what remediation activities will be necessary to permit full use of the property or the time table for such remediation activities.

**Response:** The Final RFI/RI Report does not specifically include references to mining. However, the residential scenario integrated in the CDPHE Screen is more protective of human health and the environment than a mining scenario. Therefore, mining of this site would not pose significant risk to human health or the environment with regard to OU 11. Furthermore, RCRA Clean Closure and the No Action decision under CERCLA imply that no restrictions, including mining restrictions, are necessary to be protective of human health and the environment. All collected data is presented in the RFI/RI Report for review. The No Action decision would also mean that the regulators would not require remediation of OU 11; thus RFETS has not considered a schedule or work plan for remediation. Without knowing the design details of a mining operation, there is no way to determine what, if any, effects such mining might have on perched ground water.

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