



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2405

Ref: 8HWM-RI

SEP 27 1989

David P. Simonson, Manager
Rocky Flats Area Office
U.S. Department of Energy
P.O. Box 928
Golden, Colorado 80402-0928

REFER TO
Area Mgr.
AAMC
AAMO
Counsel
CH. Admin. Br.
CH. FM Br.
CH. Opr Br.
CH. QA Br.
CH. S&EE Br.
CH. S&EP Br.
CH. S&S Br.
Proj. Mgr. PRMP
Duane Cablett

RE: 881 IM/IRA Notice of Conditional Authorization/Approval

Dear Mr. Simonson:

This letter serves as notice from EPA and the Colorado Department of Health (CDH) of conditional authorization and approval of the proposed Interim Measure (IM)/Interim Response Action (IRA) for the Hillside 881 Area (OU 1) Rocky Flats.

Section 10.c. of the 1986 Compliance Agreement (1986 CA) requires EPA and CDH approval for any response action at the Site. In accordance with the 1986 CA, this letter constitutes approval by CDH and EPA for the IM/IRA, subject to incorporation of the requirements and comments described in the second paragraph below.

Section 122(e)(6) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. section 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA, as amended), requires EPA authorization prior to initiation of any response action at the Site. EPA authorizes the IM/IRA plan conditioned upon the Department of Energy (DOE) signing the Notice of Intent to Sign the Federal Facility Agreement and Consent Order (IAG) and ultimate execution of the IAG after the public comment period is completed. The fully executed IAG shall constitute the decision document upon which such authorization is based. Should the IAG ultimately not be executed by DOE, this conditional authorization is revoked and DOE proceeds at its own risk with any such action.

In performing this action, DOE must comply with the enclosed requirements and comments which address the September 15, 1989, Draft Interim Remedial Action Plan for 881 Hillside Area, High Priority Sites, and incorporate these requirements and comments into the IM/IRA Plan. EPA and CDH may require additional modifications to the IM/IRA Plan after the Plan has undergone public comment. The IM/IRA Plan, including the enclosed requirements and comments, shall be incorporated into the 1986 CA as an enforceable part thereof.

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ADMIN RECORD

A-DU01-000228

This IM/IRA shall be incorporated into the IAG upon execution pursuant to paragraph 150 of the IAG, and shall constitute a Submittal according to paragraph 25 of the IAG.

In addition to the enclosed comments and requirements, EPA and CDH require that DOE follow the specifications for implementation of IMs/IRAs in the IAG Statement of Work. Further, CDH recognizes that the conditions of this authorization and approval, including the enclosed comments and requirements, must be met to fully satisfy the June 28, 1989, Agreement in Principle between the State of Colorado and DOE.

Also, as agreed to during the September 12, 1989, meeting regarding community relations and the OU 1 IM/IRA, DOE is the agency responsible for public notification regarding the IM/IRA plan. EPA and CDH expect that DOE will do everything possible to provide adequate public notice for opportunity to comment on this important undertaking. At a minimum, DOE should notify the public of the opportunity to comment in at least two major newspapers and two radio station announcements which service large groups of subscribers/audiences in the Denver area.

If you should have any questions regarding this matter, please contact Nathaniel Miullo at (303) 293-1668 or Patricia Corbetta at (303) 331-4843.

Sincerely yours,



Robert L. Duprey, Director
Hazardous Waste Management Division



David C. Shelton, Director
Hazardous Materials and
Waste Management Division

ENCLOSURE

cc: David Shelton, CDH (w/ encl.)
Patricia Corbetta, CDH "
Howard Brown, RFEMC "
Joseph Temple, RFCC "
George Laskar, DOE "
Mark Van Derpuy, DOE "
Terry Ruitter, PRC "
Jane Gardner, 8RC "
Lorraine Ross, 8RC "
Dan Miller, CAG "
Sonya Pennock, 80EA "