

Hestmark/Baughman

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cc w/Enclosures

S Olinger, AMESH, RFFO

A Marquez, EGD, RFFO

C Row, SSD, RFFO

J Pepe, ER, RFFO

G Porter, SWD, EG&G

P Martin, RPM, EG&G

B Fraser, EPA

R Shankland, EPA

S Tarlton, CDH

J Schieffelin, CDH

L Perrault, CAGO

POND WATER IM/IRA ISSUES

Review of EPA and CDH comments on the November 22, 1993 Draft Pond Water Management IM/IRA resulted in similar issues being raised by each Agency. We have prepared draft responses covering consolidated comments by the agencies and grouped them according to major issues.

This response summary is not intended to be a formal "response to comments." Rather, this summary is intended for review by EPA and CDH personnel to determine what remaining issues require additional discussion.

SOURCES OF CONTAMINATION

Comments CDH G-1(u), CDH S-6, CDH S-7, EPA G-2, EPA S-2, EPA S-13

Summary CDH and EPA seem to generally agree that it is necessary for the IM/IRA to address possible sources of contamination to the ponds, including OUs, the landfill, and groundwater seepage.

Per the April 15, 1994 Resolution (paragraph 2), the Pond Water IM/IRA administrative controls apply downstream of the outfalls specified in the new NPDES permit. The Pond Water IM/IRA will document the existence of programs, plans, and ongoing projects that are responsible for monitoring and control of possible sources of contaminants upstream of the ponds, but will not specifically address how these possible upstream sources are to be managed. Responsibility for monitoring, control, and/or remediation of upstream sources, including OU discharges, landfill leachate, or spills to stormwater within the Industrial Area will remain with other programs and will not be assumed by the Pond Water IM/IRA.

The Pond Water IM/IRA must, however, recognize the possibility of contaminants reaching the ponds, and will identify and propose management alternatives, including treatment, to address this possibility.

RISK ANALYSIS

Comments CDH S-2, EPA G-4, EPA S-16, EPA S-9

Summary Various comments related to the incorporation of risk analysis in the IM/IRA had to do with the analysis presented in Chapter 2 not being useful or its results being incorrectly applied, and the opinion that risk reduction should not be a screening criteria

Risk analysis is part of the statutory requirement that the selected remedy or action be protective of human health and the environment. DOE/EG&G believe a discussion of risk is important from both a statutory perspective and from the perspective of the public's right to know, although the risk analysis will not be used as the primary driver for implementation of this IM/IRA. It is DOE/EG&G's intent to use a risk analysis to help determine specific Contaminants of Concern (COC's) to be monitored for in the proposed sampling and analysis plan for this IM/IRA, particularly for operational purposes within Segment 5. If objections remain concerning the pond-specific single pathway analysis used previously, DOE/EG&G is willing to use the sitewide all-pathways contaminants of concern list developed by Chem Risk for CDH as part of the Toxicologic Review and Dose Reconstruction Project.

COORDINATION WITH OTHER ACTIVITIES

Comments CDH G-1(u), CDH S-6, CDH S-9, CDH S-11, EPA G-2, EPA S-1, EPA S-3, EPA S-10, EPA S-11

Summary Many comments described ongoing activities at the plant site with which the IM/IRA should be coordinated, including those related to RFI/RI (OU) activities, NPDES permit compliance, the IA IM/IRA, and zero discharge activities. Specific comments state that the Pond Water IM/IRA should force expedited implementation of upstream source control measures, or extend the administrative control of the Pond Water IM/IRA to cover upstream source locations.

DOE/EG&G agree that coordination of activities is a vital aspect of sitewide water quality management since the ponds covered by this IM/IRA are the receptors for any contaminants released from upstream locations. However, the April 15, 1994 Resolution (paragraph 2) defines the administrative boundary for this document as the area below the new NPDES outfalls, thus administrative control of upstream sources is outside the scope of this document.

DOE/EG&G recognizes the value of a comprehensive water management plan for Rocky Flats. This comprehensive plan will be dependent on decisions made pertaining to this IM/IRA, the new NPDES permit, and other on-site water management plans.

DOE/EG&G propose to resolve the coordination issue by (1) documenting the responsibilities of this IM/IRA with respect to other interrelated programs, perhaps with a responsibilities matrix, (2) documenting potential sources and the likely contaminants from each source, and (3) including internal reporting requirements into sampling and analysis protocols so that other programs are informed of potential water quality concerns for which they may need to take corrective action.

SPILL CONTROL

Comments CDH G-1(1), EPA G-3

Summary This document does not meet one of its stated requirements to discontinue the use of Ponds A-1, A-2, B-1, and B-2 for routine spill control.

DOE/EG&G proposes to demonstrate a commitment to remove these ponds from normal service and install diversion facilities to route small, "suspect" stormwater flows and STP "upsets" to new tankage. One option being evaluated is to drain the ponds and stabilize the sediments by revegetating with a native grass mixture pending final remediation under Operable Unit 6. DOE/EG&G proposes to keep the ponds and associated stormwater diversion structures available for large volume events which exceed tankage capacity, thereby protecting downstream stormwater ponds A-3, A-4, and B-5.

New spill tankage (approximately 500,000 gallons) is identified in the Draft NPDES permit, and DOE/EG&G has committed to provide tentative IAG milestones for this tank project as part of the April 15, 1994 Resolution. It should be noted that funding and design for this tankage is being provided under "landlord" (i.e. non-ER) capital budgets, and meeting the IAG milestones falls under the purview of the Industrial Area IM/IRA.

DOE/EG&G reiterates its objection to the contention that Ponds A-1, A-2, B-1, and B-2 are used for "routine" spill control. The Historical Release Report, and current operating history clearly show that use of these ponds has been quite infrequent, and only in response to perceived or actual abnormal events.

EVALUATION PROCESS

Comments CDH S-12, EPA S-8, EPA S-12, EPA S-14

Summary The evaluation process applied to the options is faulty in that it does not address many concerns held by CDH, EPA and the COE, eliminates many options which seem appropriate, does not seem to be applied consistently, and never involved agency participation.

The options identification and evaluation process will be substantially revised and shortened to reflect the limitations on the document imposed by the April 15, 1994 Resolution. Options which address upstream source control actions, downstream (off-site) water management facilities, construction activities, or other locations/sites no longer under the jurisdiction of this IM/IRA, will be deleted from the document. Agency participation in evaluating options pertinent to the current scope of this document would be welcome.

EVALUATION CRITERIA

Comments CDH G-1(11), CDH S-8, CDH S-9, CDH S-10, CDH S-11, EPA G-2, EPA G-3, EPA S-5, EPA S-6, EPA S-7

Summary A number of screening criteria used are either inappropriate or were incorrectly applied. Inappropriate criteria include "independent of OU actions" and "short-term impacts can be mitigated". Incorrectly applied criteria include those pertaining to consistency with OU actions, time frame for implementation, cost, benchmarks and feasibility.

Screening criteria used to evaluate potential options will be substantially revised. Statutory evaluation criteria (CERCLA §121) are considered to still be valid and will again be used to evaluate competing alternatives and to justify proposed actions. Scope limitations of this IM/IRA pursuant to the April 15, 1994 Resolution will be used as the primary option screening mechanism.

IM/IRA PROCESS

Comments CDH G-1(11), CDH G-2, CDH S-14, EPA G-1, EPA G-5, EPA S-10, EPA S-17

Summary A number of the procedural requirements of an IM/IRA Decision Document are either unclearly or incorrectly defined. Items which need to be corrected or addressed include scheduling and milestones, the fact that no ROD is involved, the fact that this document will be incorporated into the IAG, and the impacts of the new NPDES permit once it is written.

Summary of Issues Resolved to Date

Landfill Pond Water

Transfer of landfill pond water necessary to coordinate with OU 7 remedial actions will be conducted in accordance with CDH guidance (letter dated March 03, 1993) pertaining to water discharges from potential RCRA sites. Water not containing hazardous wastes, as defined by the standards comparison approach outlined by CDH, will be transferred to Pond A-3.

Emergency Pond Operations

As discussed and agreed upon in the May 4, 1994 meeting, emergency operations to release water which poses a threat to dam safety will be conducted in accordance with an approved procedure (currently in revision) which is volume dependent rather than water quality dependent. Water released under emergency conditions will be sampled and analyzed, with results reported to regulatory personnel. Water quality sampling and analysis protocols required at different action levels in the emergency procedures will be detailed in this IM/IRA.

Minutes for Pond Water IM/IRA Administrative Control Meeting May 4, 1994

General/Administrative

The pond water IM/IRA administrative control meeting on May 4, 1994 kicked off with introductions of all the attendees. DOE, EPA, CDH, EG&G and CAGO were all represented. A copy of the sign-in sheet is attached. Gail Hill, DOE, followed with a review of the responsibilities of the Environmental Guidance Division (EGD) at the Rocky Flats Field Office, and why that group is heading up the IM/IRA meetings. Because EGD is responsible for policy management of environmental issues, and pond water management falls under that umbrella, EGD is overseeing the detailing of the IM/IRA. The group decided that weekly meetings should be adequate to start the IM/IRA detailing. Hill also elaborated on the model EGD preferred for these meetings, a model based on the comment resolution model. Since this group is tasked with working through technical issues, EGD felt this was the most acceptable model.

Joe Schieffelin, CDH, questioned this format. The detail proposed for the meetings was excessive. Because the parties may well agree on many of the issues, reviewing all of them could be redundant. What was needed was DOE response to regulator comments on the draft IM/IRA before working through the issues. Others agreed. Although some felt that some long standing issues might not be resolved through comment response, it was agreed that the future meetings should be based on DOE comment consolidation. DOE committed to provide half of their responses by the week of May 9, and the remainder by the week of May 16. Later, the group also decided to schedule the next meeting for May 18, to allow EPA and CDH time to review the comment responses.

Emergency Procedures

Hill opened this discussion with an overview of the draft Dam Safety Procedure. It has been through the dispute resolution process. The initial concern was over possible major dam failure. Bob Shankland, EPA, queried whether the procedure calls for a terminal release or transfer. Doug Murray, EG&G, explained that the water would be released downstream. Judy Bruch, CDH, wondered if the new plan was different from the contingency plan, already in place, and if so, had the state engineers office commented on it? The new plan is a revision of the current emergency plan. The engineers office had not commented on the revision yet. Shankland pointed out how the Dam Safety Procedure was different than a contingency plan because one contains criteria for emergency condition determination and the other outlines a response.

There then ensued a general discussion regarding sampling before emergency discharge. Because turn-around time on water samples currently takes two to three weeks, it is difficult to await sampling results in the event of a dam emergency. Steve Tarleton, CDH, wondered about trigger level discharges. Would DOE write a procedure for that contingency? Hill responded that DOE would "close down" on these gray areas before the emergency levels were reached. The group decided that water quantity levels of action should remain in the Dam Safety Procedure, and that water quality issues for action levels should be a part of the IM/IRA and decided upon at a future meeting.

OU7 (Current Landfill) Pondwater

The main issue with the OU7 leachate collection pond is that DOE must bring the pond level down to implement remediation. Previously, the "contained in" RCRA rule made the pond FO39 waste, prohibiting discharge. The options that Dave George, Bureau of Reclamation, offered were to 1) discharge through Pond A-1, A-2 and A-3, following normal pond transfer/discharge procedures, or 2) discharge to Pond A-1 then transfer to Pond A-2 for spray evaporation. Shankland felt that if the water in the pond was high quality, and if the state agreed, then moving

the water from A-2 to A-3 would be adequate. This would meet stream standards. Bill Fraser, EPA, wondered if the CDH guidance (per March 3, 1993) didn't provide for this contingency. Hill replied that the existing procedure was for a one-time release last summer. Schieffelin then stated that if the water meets stream segment standards, then it is not hazardous and can be transferred. Shankland then recommended the water be transferred directly to A-3 as long as it meets standards. Murray indicated that the water currently exceeds iron standards (1200 mg/l, which is 200 mg/l over standards) but this met with little concern by the group because iron is not a listed hazardous waste. The agencies agreed that the water could be transferred. The group also decided that the CDH guidance for landfill pond water transfer be incorporated into the IM/IRA.

Action Items

- Comment response to draft IM/IRA by DOE
- How is water quality in emergency conditions to be addressed in IM/IRA?
- Review of Dam Safety Procedure by EPA and CDH
- CDH guidance for OU7 water transfer to be included in the OU7 IM/IRA, and to be addressed in the pond water management IM/IRA

Next Meeting

Wednesday May 18, 1994, 1-3 pm at the EPA Region VIII Conference Center in Denver

DRAFT

**Pond Water Management IM/IRA
Administrative Control
Meeting
May 18, 1994
Agenda**

Meeting Minutes- 5/4/94

Consolidated Comments & Responses

- Sources of Contamination
- Risk Analysis
- Coordination with Other Activities
- Spill Control
- Evaluation Process
- Evaluation Criteria
- IM/IRA Process
- Monitoring/Compliance/Reporting/ARAR's

Summary of Issues Resolved to Date

- Landfill Pondwater
- Emergency Pond Operations

Draft Schedule

Next Meeting's Agenda