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August 6, 1992

Mr. Frazer Lockhart  
U. S. Department of Energy  
Rocky Flats Office  
P.O. Box 928  
Golden, Colorado 80402-0928

RE: OU 15 RFI/RI Process

Dear Mr. Lockhart,

The Colorado Department of Health, Hazardous Materials and Waste Management Division (the Division), forwarded a letter to you dated May 29, 1992 regarding integration of the RFI/RI with CHWA Closure requirements for OU 15. The letter summarized what the IAG had originally envisioned for OU 15, the current status of the RFI/RI Workplan and the pre-existing Closure Plans, and gave guidance on where the Division felt the process should go in the future. Upon further consideration of the situation, and in cooperation with EPA, the Division would like to change our recommendation. We do this believing the change will not impact any currently ongoing document preparation or revision and will significantly decrease confusion in the future. This letter constitutes, therefore, an interpretation of the requirements of Section I.B.11.a of the IAG SOW in a manner consistent with other provisions of the IAG.

After a review of the current OU 15 project status, CDH and EPA feel that integration of the RFI/RI and Closure should be handled in a manner similar to the methodology included in the IAG for OUs 4, 7, 9, 10, and 11. These OUs undergo, as you are aware, a Phase I RFI/RI (source/soils) followed by a Phase I IM/IRA. This is, in turn, followed by a Phase II RFI/RI (nature/extent). From this point, the remainder of the remedial action sequence continues through the Corrective Measures Study/Feasibility Study (CMS/FS) and Record of Decision/Corrective Action Decision (ROD/CAD). Because the IHSSs in OU 15 are not expected to be complicated and there is no need to separate the RFI/RI into source/soils and nature/extent, we would propose that only one phase of RFI/RI work be completed that is comprehensive in nature. At the conclusion of the RFI/RI, DOE and the regulatory agencies could evaluate the results to determine if an IM/IRA is necessary and, if so, implement it. If not, the remainder of the CHWA Closure requirements would be satisfied by a properly constructed ROD/CAD.

One of the significant implications of this new strategy is that, contrary to CDH's previous guidance, the existing Closure Plans have no present or future relevance and need not be revised or resubmitted. However, the closure requirements must be satisfied through the IM/IRA and ROD/CAD process as described below. CDH and EPA would be willing to discuss a process for expediting particular IHSSs through the closure process should this be necessary.

Another implication of the new strategy is that the closure requirements are satisfied by both the IM/IRA, if it is necessary, and the ROD/CAD rather than the

original closure plans. We still anticipate that neither soil, surface water, nor ground water have been contaminated and expect that the RFI/RI will provide sufficient information to determine if clean closure or further investigation is warranted for the OU 15 sites. It should be noted at this point that, consistent with Attachment 2, Section I.B.11.b of the IAG, the State will open a concurrent public comment period for the proposed IM/IRA Decision Document and/or ROD/CAD to satisfy the public comment requirements for draft closure plans. This will necessitate that the draft document released for public comment should be entitled "Draft IM/IRA Decision Document and Closure Plan" or "Draft ROD/CAD and Closure Plan."

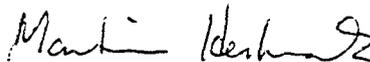
In addition, the IAG Table 6 milestone schedule for OU 15 already includes milestones for the RFI/RI Workplan and RFI/RI Report. At this point, these milestones are the only ones needed and should be considered legally enforceable. In the near future, provided that DOE agrees to the concepts presented herein, a meeting for all parties to discuss future OU 15 schedules beyond the RFI/RI will be necessary.

Please let us know by September 1, 1992 if the interpretation of the IAG described in this letter is acceptable to DOE. If you have any questions regarding these matters, please call Harlen Ainscough (331-4977) or Joe Schieffelin (331-4421) of CDH or Dave Maxwell (294-1082) of EPA.

Sincerely,



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Hazardous Materials and Waste  
Management Division



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U.S. EPA, Region VIII

cc: Daniel S. Miller, AGO  
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