

Environmental Restoration under RCRA and CERCLA

Environmental restoration at the Rocky Flats Plant is conducted in accordance with two federal laws: the Resource Conservation and Recovery Act (RCRA) as amended by the Hazardous and Solid Waste Amendments Act; and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

RCRA regulations apply to currently operating hazardous waste treatment, storage and disposal facilities, and the RCRA corrective action provisions are implemented to remediate releases of hazardous materials from these facilities. CERCLA regulations apply when hazardous materials have been released from abandoned or uncontrolled hazardous waste sites. CERCLA regulations also apply to releases from operating facilities that may pose a threat to human health and/or the environment. Some cleanup areas fall under the jurisdiction of both laws. Environmental restoration under the two statutes involves several stages of investigation, assessment and action.

Stage one is a preliminary characterization to identify potentially hazardous sites needing further investigation. This activity is referred to as the RCRA Facility Assessment. The similar CERCLA effort is a Preliminary Assessment/Site Inspection.

Stage two fully characterizes the nature, extent and rate of contaminant releases identified in the initial characterization. The RCRA term for the full characterization is RCRA Facility Investigation. The companion CERCLA process is Remedial Investigation.

Stage three is evaluation and selection of remediation alternatives. The RCRA activity is termed the Corrective Measures Study, which may develop only one alternative. The similar CERCLA activity, the Feasibility

Study, must consider several remedial action alternatives. Environmental restoration at Rocky Flats will follow the CERCLA criteria, considering several alternatives, as set forth in the Interagency Agreement.

Stage four results in the production of a Proposed Plan outlining the lead agency's preferred cleanup alternative and summarizing all other alternatives considered. A public comment period of 60 days on the Proposed Plan provides citizens with an opportunity to have input in the agency's remedy selection process. The RCRA counterpart of this phase is draft permit modification, which also involves public review and comment.

Stage five authorizes and supports the selection of a remedy. The RCRA Corrective Action Decision and the CERCLA Record of Decision comprises information in determining the final remedy. If an amendment to the Corrective Action Decision or Record of Decision is proposed, another opportunity for public comment is provided.

Final Stage involves the design and implementation of the selected remedy. RCRA refers to this activity as the Corrective Measures Implementation or Corrective Design. The similar CERCLA effort is Remedial Design/Remedial Action.

An additional intermediate stage, indirectly addressed in the National Oil and Hazardous Substances Pollution Contingency Plan, will be implemented at the Rocky Flats Plant. An Interim Measures/Interim Remedial Action stage will evaluate alternatives and select actions to serve as interim measures in the remediation of certain areas of the plant. Like final Proposed Plans, proposed Interim Measures/Interim Remedial Action plans are reviewed and commented on by the public during a 60-day comment period.