



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

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



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RE: Final Background
Geochemical Characterization
Plan

Dear Mr. Lockhart:

EPA Region 8 has reviewed the final Background Geochemical Characterization Plan for the Rocky Flats Plant. In general, the document is comprehensive and includes an appropriate discussion of data quality objectives, physical setting, and statistical methods of data analysis. The enclosed comments indicate specific revisions which are necessary for the document to be approved. EPA expects the necessary revisions to be made and the revised final plan to be submitted along with the final Background Geochemical Characterization Report.

A general aspect of DOE's background characterization program that concerns EPA is the ultimate use of the data which is being collected. In the final Background Geochemical Characterization Plan, DOE makes the following statements:

a. "Background data may be helpful in...justifying waivers for complying with Applicable or Relevant and Appropriate Requirements (ARAR)." (page 1-1, Section 1.1, Purpose)

b. "Background data can also be used to support waivers for complying with ARARs when background concentrations exceed ARARs." (page 1-10, Section 1.4.3.1, Data Uses)

EPA believes the use of data as indicated above would be inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). Section 300.430 (f) (1) (ii) (C) of the NCP provides six specific circumstances under which ARARs may be waived. The relationship between ARARs and background concentrations is not considered in these waiver criteria. Instead, background concentrations should be considered in the development of preliminary remediation goals. In the preamble to the NCP on page 8717, the intent of the preliminary remediation goals is made clear in the following language:

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ADMIN RECORD

"Preliminary remediation goals for carcinogens are set at a 10^{-6} excess cancer risk as a point of departure, but may be revised to a different risk level within the acceptable risk range based on the consideration of appropriate factors including, but not limited to, exposure factors, uncertainty factors, and technical factors... Technical factors may include: detection/quantification limits for contaminants, technical limitations to remediation, the ability to monitor and control movement of contamination, and background levels of contaminants."

Based on the above language, we conclude that DOE's intentions to use background data to justify ARAR waivers is inconsistent with the NCP. An appropriate use of the data would be in the development and revision of the preliminary remediation goals.

Since the submittal of the background plan, DOE has informally requested that current data validation requirements (100% validation) be relaxed for the background program. In order to evaluate this request, EPA requires that the following specific information be provided in writing:

- a. A summary of planned percent validation by sampled medium and contaminant type
- b. Assurance that quality control/quality assurance documentation necessary for future validation will be available
- c. Conditions under which 100% data validation will be accomplished
- d. An indication of the resulting uncertainty in the background statistics if 100% of the data is not validated

Until this information is submitted by DOE and approved by the regulating agencies, data validation requirements must adhere to the approved Quality Assurance Project Plan.

Regarding the schedule for the future submittal of the Background Geochemical Characterization Report, your letter of April 27, 1992 to EPA and the Colorado Department of Health proposed that a draft report be provided to the regulators on July 31, 1992. We understand that this submittal is intended to aid our review of the Remedial Investigation Report for Operable Unit 1. The official submittal of the final Background Report will follow on September 30, 1992 with annual submittals occurring thereafter. These proposed dates are acceptable to EPA.

If you have any questions regarding these issues or our enclosed comments, please contact Bonnie Lavelle at (303) 294-1067.

Sincerely,

W.C. Fraser
(for)

Martin Hestmark, Manager
Rocky Flats Project

Enclosure

cc: Gary Baughman, CDH
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