

STATE OF COLORADO

Bill Owens, Governor
Jane E Norton, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

April 16, 2002

Mr Joseph A Legare
Assistant Manager for Environment and Infrastructure
U S Department of Energy, Rocky Flats Field Office
10808 Highway 93, Unit A
Golden, CO 80403-8200

RE Draft Environmental Restoration RFCA Standard Operating Protocol For Routine Soil Remediation FY 2002 Notification #02-05 IHSS Group 800-2 and 800-5, and Notification #02-06 IHSS Group 400-7 – Disapproval & Comments

Dear Mr Legare

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division has reviewed the ER SOP Notifications #02-05 and #02-06 These Notifications were received by the Division on March 22, 2002 The Division provided comments and a meeting was held to discuss the Division's concerns on April 11, 2002 Considering that the previously agreed upon consultative process was not followed prior to submittal of these Notifications, the number of concerns identified and revisions required in these Notifications, and the inability to reach agreement at the April 11th meeting, the Division is hereby disapproving these Notifications and providing the following comments

- 1) The specific process and requirements identified in Section 1 4 of the "Final Environmental Restoration RFCA Standard Operating Protocol for Routine Soil Remediation" have not been followed This includes, but is not limited to, consultation regarding the proposed submittal or content of these Notifications prior to their submittal to the Division
- 2) The language in these Notifications must be changed to properly identify the RFCA remediation requirements It is incorrect to imply that RFCA does not require any remedial activity below Tier I levels As such, please change the language in Section 2 3 to indicate contaminated soil exceeding Tier II action levels will be removed, or provide the appropriate evaluations or discussion to identify why removal below Tier I ALs does not need to be performed at this time Also, change the verbiage in Section 2 4 to be consistent with the language in Section 2 3, indicating at a minimum that contamination above the Tier I ALs must be remediated and that contamination above levels consistent with unrestricted use must be evaluated for possible remediation



ADMIN RECORD

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- 3) The specific activities to be performed per these Notifications must be modified to reflect that actual remedial activities to be performed by ER. Language in these Notifications must be changed to reflect the requirements contained in the approved D&D RSOPs regarding removal of infrastructure and equipment. The interface between activities to be performed by D&D, per approved documents, and ER must be addressed. Specifically, it is our understanding that D&D will remove the tanks in buildings not ER. Also, it is our understanding that D&D is responsible for removing the slab, sumps, pits, pipelines, and other appurtenances associated with buildings, unless specifically identified to be performed by ER. This should be determined and specifically identified utilizing the consultative process, and properly and accurately reflected in the associated D&D and ER documents submitted to the Division.
- 4) Comments and changes previously provided and addressed at the April 11th meeting need to be incorporated into these Notifications.

Please provide revised Notifications for review and approval by the Division.

If you would like to meet to discuss this or have any questions regarding this correspondence please contact me at (303) 692-3367 or David Kruchek at (303) 692-3328, or Elizabeth Pottorff at (303) 692-3429.

Sincerely,



Steven H. Gunderson
RFCA Project Coordinator

cc Norma Castaneda, DOE
Tim Rehder, EPA
Lane Butler, KH
Lee Norland, KH
Dave Shelton, KH
Administrative Records Building T130G



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