



IDAHO DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENTAL QUALITY

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Office of Program Execution

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Cecil D. Andrus, Governor

January 28, 1994

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FEB 10 1994

Environmental Quality Division

Mr. Jerry Lyle, Director
Environmental Restoration Division
U.S. Department of Energy
Idaho Operation Office
785 DOE Place
Idaho Falls, ID 83402

Mr. Wayne Pierre, Chief
Federal Facility Section I
U.S. Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, WA 98101

Subject: TAN OU 1-07B Draft Final RI/FS Report

Dear Mr. Lyle and Mr. Pierre:

This letter is in regard to the request for a 15 day extension for finalization of the draft final RI/FS Report for operable unit 1-07B requested by the U.S. Environmental Protection Agency (EPA) in a letter dated January 26, 1994. According to the letter, this extension is being requested to finalize agreement in response to EPA comments provided during the 30 day period provided under paragraph 8.3 of the FFA/CO. As the EPA letter indicates, the actual resolution of EPA comments would be included in an addendum to the RI/FS Report to be prepared by U.S. Department of Energy (DOE) during the 15 day extension requested under paragraph 8.18 of the FFA/CO.

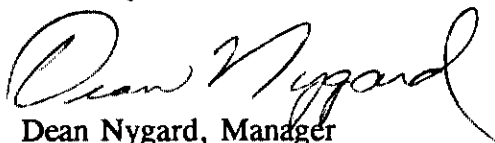
The Idaho Department of Health and Welfare's (IDHW) objection to the EPA request for extension is twofold. First, the extension under paragraph 8.18 is for finalization of draft final documents as necessary for editing purposes. It is our understanding that DOE has agreed to prepare an RI report addendum during the 15 day extension to resolve EPA comments. This does not afford IDHW the opportunity to review and edit the proposed addendum as intended by paragraph 8.18 because the next 15 days will be required for DOE to write the addendum. Second, the draft final RI/FS report was subject to a 30 day period to resolve disputes in accordance with paragraph 8.3, during which dispute resolution was not invoked by any party. Subsequently, the RI/FS Report became final on January 26, 1994.

Mr. Jerry Lyle
Mr. Wayne Pierre
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Without the proposed addendum for review, IDHW is not able to take a position with respect to the resolution reached between EPA and DOE regarding potential for Dense Non-Aqueous Phase Liquid (DNAPL) at TAN until we have the opportunity to review the proposed addendum. It is our hope that this new information will be useful to all parties in the process of arriving at a preferred remedial alternative that we can all support. If so, IDHW will consider the proposed addendum as new information to be submitted to IDHW in accordance with paragraph 8.22 for consideration under 8.23. Considering that new information will be proposed within the next 15 days that may alter the proposed plan previously submitted by DOE, we recommend resubmitting the draft proposed plan at that time. It is our understanding that resubmittal of the proposed plan is mutually acceptable to all parties.

Please contact me at 208/334-5860, should you have any questions.

Sincerely,



Dean Nygard, Manager
Federal Facility Section

DN/jc