



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

CCN 20439

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Dirk Kempthorne, Governor
C. Stephen Allred, Director

March 14, 2001

Ms. Kathleen Hain, Manager
Environmental Restoration Program
U.S. Department of Energy
Idaho Operations Office
850 Energy Drive
Idaho Falls, Idaho 83401-1583

RE: *Schedule for Group 7, SFE-20 Remedial Action, Operable Unit 3-13*

Dear Ms. Hain:

This letter pertains to the OU 3-13 Group 7, SFE-20 tank site remedial action, and specifically, what is needed for the remediation to resume schedule as provided in the approved Characterization Work Plan.

As you are aware, remediation work on this site was unilaterally curtailed by USDOE on November 13, 2000. Prior to cessation of work, a Characterization Work Plan was finalized on August 15, 2000, which contained a plan for sampling tank contents. Characterization sampling was to have been conducted during Fall, 2000. However, a day after the receipt of a 14 day notification of sampling for Group 7, on October 31, 2000, IDEQ received a proposal to re-evaluate the SFE-20 Tank Sampling Needs identified in the Characterization Work Plan. This proposal recommended significant revisions to the previously approved sampling strategy that had been agreed to in the finalized Characterization Work Plan.

IDEQ responded to this proposal in a November 9, 2000 letter in which we rejected the proposed revisions and indicated that the requested reduction in analytical parameters does not appear to comply with the Hazardous Waste Management Act (HWMA) interim status requirements for the Process Equipment Waste (PEW) Evaporator, identified in IDAPA 58.01.05009 (40 CFR 265.13), nor the substantive requirements of IDAPA 58.01.05006 (40 CFR 262.11).

Additionally, IDEQ/RCRA has informed USDOE that deviation from the approved analyte list places USDOE at risk with respect to acceptance of the SFE-20 waste stream at the INTEC PEW for final treatment. Accordingly, the sampling strategy and analyte list presented in the finalized Characterization Work Plan, dated August 15, 2000 and approved pursuant to the FFA/CO, should be implemented.

As a result of DOE's unilateral cessation of work, three deliverables are likely to miss schedule submittal dates. Two of these, the *PEW Evaporator Acceptability Evaluation* and the *Interim*

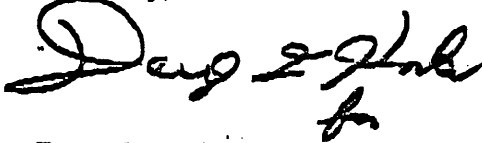
Kathleen Hain
March 14, 2001

Analytical Data Report, were scheduled to be submitted March 15 and March 22, 2001, respectively. The Interim Analytical Data Report, which will feed in to the *Characterization Report*, is identified as a secondary document with a target submittal date of September 2001. This date is also likely in jeopardy; given that sampling of tank contents pursuant to the OU 3-13 ROD has yet to occur. This document will be used to support the *30 percent Remedial Design* (secondary document, scheduled for submittal on April 15, 2002) and the *90 percent Remedial Design/Remedial Action Work Plan* (primary document, with an enforceable milestone of February 26, 2003).

Given the chronology of events and approval process as detailed above, IDEQ cannot find any justifiable reason for USDOE's cessation and continuing delay of tank sampling and associated activities leading towards implementation of the Group 7 SFE-20 Tank Site Remedial Action. Therefore, we hereby request that USDOE submit a plan informing IDEQ as to how it intends to comply with the approved Characterization Work Plan schedule.

If you have any questions concerning this matter, please contact Daryl F. Koch at (208) 373-0482 or dkoch@deq.state.id.us

Sincerely,



Dean J. Nygard
Site Remediation Program Manager
Waste Management and Remediation Program

DJN:dfk:md

cc: Wayne Pierre, USEPA Region X
Talley Jenkins, USDOE-ID
Margie English, DEQ-TS
Daryl F. Koch, DEQ-WMRD