

Brush, Denise E

From: Webber, Frank L
Sent: Tuesday, September 06, 2011 3:12 PM
To: Brush, Denise E
Cc: Hain, Kathleen E
Subject: FW: Draft Final ESD Revision

Please add to the IR under long term stewardship. thanks

From: Ted.Livieratos@deq.idaho.gov [mailto:Ted.Livieratos@deq.idaho.gov]
Sent: Wednesday, August 24, 2011 4:05 PM
To: Burton, Brent N
Cc: Hernandez, Nicole K; Forsythe, Howard S; Simpson, Erik A; Webber, Frank L;
Faulk.Dennis@epamail.epa.gov
Subject: RE: Draft Final ESD Revision

Brent,

The proposed changes are acceptable to DEQ. Please consider this August 24, 2011 email to be our official response.

Ted Livieratos

From: Burton, Brent N [mailto:Brent.Burton@icp.doe.gov]
Sent: Wednesday, August 24, 2011 10:58 AM
To: Faulk.Dennis@epamail.epa.gov; Daryl Koch
Cc: Hernandez, Nicole K; Forsythe, Howard S; Simpson, Erik A; Webber, Frank L
Subject: Draft Final ESD Revision

The text below shows proposed changes to the two EPA and one DEQ comment on the ESD. The attached redline file shows these changes along with a few other minor editorial changes. Please review and let us know if you have any remaining comments on the document. If you are OK we will get the final copy routed for agency signatures. Thanks.

EPA comments

1. Page V, Dan's middle initial is D not O.
Response: Accept

2. Page 5, section 2.2 3rd paragraph, EPA does not consider physical controls as part of IC's. Suggest modifying the text to indicate that IC's are administrative requirements.

Response: It is proposed to modify the text as follows:

~~ICs at the INL Site are divided into two general categories: (1) physical controls and (2) administrative controls. Physical controls provide material means for controlling access to a site, such as warning signs, fences, and permanent markers. Administrative controls are designed to control land or resource use at a site and may include, but are not limited to, property lease or transfer requirements, government permitting, and soil disturbance restrictions.~~ Region 10 policy (EPA 2011) states that ICs include all non-engineered restrictions on activities, access, or exposure to land, groundwater, surface water, waste and waste disposal areas, and other areas or media. Some common examples of tools to implement ICs include restrictions on use or access, zoning, governmental permitting, public advisories, or

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installation master plans. ICs may be temporary or permanent restrictions or requirements. Through implementation of ICs, there is no exposure pathway by which a person may be exposed to residual contamination at these sites. For all sites, DOE will maintain ICs until the Agencies agree the controls are no longer required for protectiveness and that decision is documented in an appropriate CERCLA decision document.

DEQ Comment

Section 3.2.2, first paragraph, first bullet, page 11

The nitrate MCL is 10 mg/l, but indeed the ROD allows for 20 mg/l during the DOE operational period, as explained in Section 3.1.2, page 7. Either clarify if the first bullet on prohibiting use of groundwater applies to any MCL that is exceeded, or if the statement applies to the special case of nitrate, and if so, then further explanation is needed (i.e., copy the text from Sec. 3.1.2, page 7).

Response: The bulleted item from 3.2.2 will be revised as follows:

"During the DOE operational period, prohibit use of groundwater for drinking water or irrigation purposes in the portion of the aquifer that exceeds 20 mg/l for nitrate until groundwater quality has been restored."

Brent N. Burton
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