

United States Government

Department of Energy

Rocky Flats Field Office

memorandum

DATE: JAN 27 2000

REPLY TO:
ATTN OF: AME:ESD:MH:00-01010

SUBJECT: Rocky Flats Field Office Commitment to DOE Order 420.1 Interpretation

TO: Robert G. Card
President
Kaiser-Hill Company, L.L.C.

The purpose of this memorandum is to formally document the Department of Energy (DOE), Rocky Flats Field Office (RFFO) acknowledgement of the Kaiser-Hill Company, L.L.C. (K-H) interpretation of certain DOE Orders and Directives in the K-H Contract DE-AC34-00RF01904. The DOE RFFO expects K-H to conduct its business at the Rocky Flats Environmental Technology Site (Site) in accordance with all DOE Orders and Directives included in Section J, Attachment B of the contract.

The DOE also recognizes the unique nature of the closure contract for the Site and is committed to ensuring a flexible interpretation of DOE Orders and Directives to move the project to its safe and expeditious conclusion. Section J, Attachment B includes provisions for a "sunset clause," and self-deleting of requirements not applicable to the Site. Through the standard exemption process, the DOE RFFO and/or DOE Headquarters will exempt K-H from those DOE Orders and Directives and portions of such Orders and Directives on a case by case basis as appropriate.

Additionally, the DOE RFFO has considered site-specific interpretations of DOE Orders and Directives more appropriate to a closure contract. In cases where a modified interpretation would enhance the progress of closure without a significant impact on public health and safety, the environment, or site safeguards and security, DOE RFFO will implement such an interpretation.

Specifically, Sections 4.3.1 General Requirements and 4.3.2d(1) Application of Double Contingency of the Contractors Requirements Document are interpreted as follows: In a seismic collapse, it is not possible to credit controls normally used to maintain double contingency in a facility. Additionally, although the directive is silent on the subject, it is widely recognized that it is not possible to assure double contingency for sabotage events.

Therefore, the requirement for double contingency does not apply to seismic events that are postulated to cause facility collapse or to sabotage events.

Additionally, Sections 4.1.1 Nuclear Safety and 4.4 Natural Phenomena Hazards (NPH) Mitigation for DOE Facilities are interpreted as follows: Most facilities at the Site were not designed or built to meet the NPH or aircraft crash requirements of these sections. Since the remaining life of non-waste storage facilities is short, existing non-waste storage facilities are not required to be upgraded to meet these requirements. Facilities whose mission is to be changed to long-term waste storage (e.g. Building 906) will be required to address the provisions of this Order. No existing facilities are required to be upgraded to meet aircraft crash requirements in this Order.

Modification to a facility, except for those directly related to Decontamination and Decommissioning or demolition, shall not degrade the performance capability of a facility. Modifications for purposes other than demolition (e.g. Plutonium Stabilization and Packaging System) shall be designed and built in accordance with the requirements of the sections, however, such modifications shall not require the entire facility to be upgraded to meet NPH requirements. Any new facilities constructed at the Site shall be fully compliant with the requirements of the sections.

The DOE RFFO reserves the right to reevaluate or eliminate any modified interpretation and to require specific compliance with all applicable DOE Orders and Directives. Any further change to this interpretation would be subject to standard contractual change control requirements.



Paul Golan
Acting Manager

cc:
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AC 1/13
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