

United States Government

Department of Energy

Rocky Flats Field Office

memorandum

DATE: JAN 27 2000

REPLY TO
ATTN OF: AME:ESD:MH:00-01175

SUBJECT: Rocky Flats Field Office Commitment to Environmental Regulatory Strategy for Closure

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) commitment to use its best efforts to an environmental regulatory strategy for the closure of the Rocky Flats Environmental Technology Site (Site) in the K-H Contract DE-AC34-00RF01904. The DOE recognizes the unique nature of the closure contract for the Site and is committed to ensuring an environment that will move the project to its safe and expeditious conclusion.

The DOE RFFO realizes that a safe, cost-effective, and high-quality closure of Rocky Flats by 2006 requires a regulatory environment that matches the closure project. The DOE commits to work cooperatively with K-H to effect changes within or to the Rocky Flats Cleanup Agreement (RFCA) necessary to enable and assist site closure by 2006. The objective in making these changes will be: (1) To simplify the regulatory structure under which the Site operates while maintaining the substantive requirements; (2) To improve environmental compliance and performance of the site; (3) To focus site, regulators and the public on substantive rather than administrative environmental performance; (4) To reduce costs of administration and oversight for all the RFCA parties and for the site contractor; and (5) To ensure final closure of the site meets regulatory requirements.

Specifically, the DOE commits to using its best efforts in seeking the following package of environmental regulatory changes:

1. Extend regulatory authority to include environmental aspects of deactivation and simultaneously establish a RFCA Standard Operating Protocol (RSOP) for those activities
2. Eliminate unnecessary administrative processes associated with RCRA, CAA, and CWA and consolidate under RFCA, thus requiring substantive compliance while eliminating many administrative requirements

3. Authorize essentially all work to be conducted under approved RSOPs rather than individual decision documents
4. Upon approval of the deactivation and decommissioning RSOPs, elimination of the RCRA, CAA, and CWA permits if not already eliminated
5. Strengthen enforcement authority over actual environmental releases causing damage
6. Limit RFCA Milestones to ~15 based on 2009 closure and place in the body of RFCA
7. Add earned value concept as a measure of progress toward 2006 closure
8. Final site configuration and environmental remediation will be completed in accordance with the Interim Final ROD, which will be approved by the RFCA parties by June, 2004
9. Pursue alignment of onsite surface water quality standards with end state onsite water use.

The DOE will use its best efforts to initiate negotiations with the RFCA parties and will exercise its best efforts to finalize the necessary agreements within one year.



Paul Golan
Acting Manager

cc:
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