Department of Energy
Idaho Operations Office
850 Energy Drive
Idaho Falls, Idaho 83401-1563

December 18, 2003

Mr. Wayne Pierre, Team Leader
Environmental Cleanup Office
U.S. Environmental Protection Agency
Region X
1200 Sixth Avenue
Seattle, Washington 98101

Daryl F. Koch, Acting Remediation Manager
Waste Management and Remediation Division
Idaho Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706-1255

SUBJECT: Transmittal of the December 9, 2003 Agency Meeting Minutes– (EM-ER-03-315)

Dear Mr. Pierre and Mr. Koch:

Enclosed you will find the minutes from the meeting between the Department of Energy (NE-ID), the Environmental Protection Agency, Region 10, and the Idaho Department of Environmental Quality held December 9, 2003 in Idaho Falls, Idaho. We discussed the path forward for the Explanation of Significant Difference (ESD) to the Operable Unit (OU) 3-13 Record of Decision (ROD), the OU 3-14 Tank Farm Soils and Groundwater ROD, and the Iodine-129 contaminated soils at INTEC.

In summary, we agreed to pursue the ESD and to include the injection well in its scope. NE-ID agreed to perform vertical profile sampling of three wells in fiscal year 2005 to support the ESD.

The draft OU 3-14 RI/FS Work Plan will be sent to you by December 24, 2003. The enforceable milestone for the OU 3-14 ROD will not change, but will remain as May 2010. The decision to accelerate the OU 3-14 ROD will be made after submittal of the Remedial Investigation/Baseline Risk Assessment document is submitted, currently scheduled for November 2005.

The number of samples required for ICDF disposal will be based on the ICDF waste verification approach and will use the existing concentration guideline of 3.1 pCi/g. The draft final Group 3 Other Surface Soils Remedial Design/Remedial Action Work Plan, Phase I will include this approach and will be sent to you by December 24, 2003.

If you have questions or need additional information, please contact Rachel Hall at (208) 526-1661.

Sincerely,

Kathleen E. Hain, Lead
Environmental Restoration Program

Enclosure

cc: M. English, IDHW, DEQ, 1410 N. Hilton, Boise, ID 83706
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W. Pierre, EPA, Region 10, 1200 Sixth Avenue, Seattle, WA 98101
T. Kluk, DOE-HQ, EM-441
R. Cummings, DOE-HQ, EM 441

Meeting Decisions from EPA, IDEQ, and DOE
on WAG 3 Issues,
December 9, 2003

Attendees:
EPA – Wayne Pierre
IDEQ – Dean Nygard, Daryl Koch, Kathleen Trevor, Ted Livieratos, Gerry Winter
DOE – Bill Leake, Rachel Hall
BBWI – Michael Graham, Doug Kuhns, Marty Doornbos

Topics:
1. OU 3-13 Explanation of Significant Difference
2. OU 3-14 ROD Schedule Acceleration
3. Characterization of I-129 Contaminated Soils

The meeting attendees reached the following decisions on the above listed topics:

OU 3-13 Explanation of Significant Difference:

- ESD preparation will continue and include the injection well (CPP-23). The ESD will state that the scope of the Group 5 remedy was expanded to include the injection well, but it will not indicate whether it is an interim or a final remedy.
- The ESD will specify an action level of 5 pCi/L for I-129, which is 5X the MCL of 1 pCi/L. The action level will apply to the results from the vertical profile sampling of wells USGS-44, -46, and -47. The following responses will be identified for the action level:
    - If concentrations are less than the action level, then continue monitoring under Group 5.
    - If concentrations are greater than the action level, additional sampling of other monitoring wells and possibly new monitoring well(s) may be required. Fate and transport modeling will be performed to predict groundwater concentrations in 2095. If the results of the modeling identify that RAO's will not be achieved by the year 2095, the contingent groundwater pump and treat remedy will be initiated to remove a sufficient mass of the plume to achieve RAOs.
    - Action level applies to contamination that is present at depth due to the injection well and is not a function of contaminated perched groundwater entering the SRPA.
- Group 5 Monitoring System/Installation Plan will be revised to include the following scope based upon the ESD:
    - Vertical profile sampling of USGS-44, -46, and -47 at a minimum of five different depth intervals:
    - Sampling schedule for the vertical profile sampling (perform initially and once every five years to be available for the CERCLA 5-yr reviews). Initial vertical profile sampling will be performed in FY05.
    - A logic diagram and/or criteria will be prepared to determine which wells will continue to be monitored in the future.
- Path forward for the draft OU 3-13 ESD:

- Responses to Agency comments on the draft ESD will be revised in accordance with this meeting. Revised responses will be sent by December 16 and discussed during the WAG 3 conference call on December 18.
- Responses to other Agency comments not related to I-129 will be discussed during the WAG 3 conference call on December 11.
- A 20-day extension may be requested to allow time to incorporate this resolution.

OU 3-14 Accelerated Schedule:

- The draft OU 3-14 RI/FS Work Plan will be transmitted to the Agencies on or before December 24, 2003. The enforceable milestone for the OU 3-14 ROD will not change, remaining as May 2010.
- Information is currently not available to determine whether an early ROD by December 2006 is achievable.
  - Requires Agency concurrence on the OU 3-14 Data Quality Objectives (DQOs) and subsequent data collection activities, provided in draft RI/FS work plan.
  - Requires evaluation of the data to determine whether Remedial Action Objectives (RAOs) can be established and remedial actions selected.
- Draft OU 3-14 RI/FS Work Plan will include a flowchart that identifies a decision point (i.e., sufficient information is available) with an option to accelerate the ROD having a goal of December 2006.
  - Decision to accelerate the ROD will be based upon the results of the RI/BRA.
  - The early ROD will either be a OU 3-13 ROD amendment, an OU 3-14 ROD, or an OU 3-13/-14 ROD. Administrative path will be resolved during comment discussions on the draft OU 3-14 RI/FS Work Plan.

I-129 Contaminated Soils:

- Based upon process knowledge and existing analytical data, determine whether I-129 contamination is expected to be present at a Group 3 site to be disposed in the ICDF landfill.
  - If I-129 is not expected to be present, then that site will be removed from the list of potentially I-129 contaminated sites and additional characterization for I-129 will not be required. The mass of I-129 from these sites for disposal in the ICDF will be zero.
  - Currently, CPP-67 and CPP-36/91 are the two sites known to have I-129 contamination.
- Number of samples required for ICDF disposal will be based on the ICDF waste verification approach using the existing concentration guideline of 3.1 pCi/g.
  - For samples having non-detect concentrations (e.g., 1 pCi/g) and where I-129 is thought to be present, ½ of the detection limit will be used to determine the number of samples to collect for verification and acceptance in the ICDF landfill.
- ICDF waste verification sampling will be performed as the trucks are being loaded and the waste can be disposed in the landfill prior to receipt of the analytical results.

- Based on this agreement, the DEQ agreed to send a letter to NE-ID accepting the ICDF Waste Acceptance Criteria for Iodine-129.