

UNCLASSIFIED
FACSIMILE TRANSMITTAL SHEET

Kim,
THE LATEST
Accel. CA Process
JK.

G/M/97



U.S. DEPARTMENT OF ENERGY
LOS ALAMOS AREA OFFICE
Office of Environment and Projects

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DATE: 2/19/97 **# PAGES TO FOLLOW:** 6
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REMARKS:

OK for review now! Criteria are on 2/26 agenda. as such, this document is still draft. Any problems, please call.



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(DRAFT) Accelerated Corrective Action Process Flow, Rev. 5

Introduction

The accelerated corrective action process flow is an enhancement of the sequential process flow generally followed under RCRA corrective action. The accelerated approach replaces standard RFI Phase I and Phase II (see example 3 below) sequences with a flexible decision making approach that efficiently evaluates potential release sites, determines the extent of investigations required, determines whether cleanups are required, and after implementation of these actions, proposes no further action. Regulatory agency involvement is continual, and the agency approves work plans through established process. The Administrative Authority (AA)¹ approves sites for no further action through established permit modification processes. All proposed revisions to approved work are submitted to the agency for review. Public involvement is ensured through access to project documents, site tours, public meetings and the permit modification process.

Description of the process Flow

The accelerated Corrective Action process flow is described below and illustrated in Figure 1.

Step 1. Create a RFI Workplan or Sampling and Analysis Plan (SAP) for any potential release site (PRS) or aggregate of PRSs that have not been previously investigated. For PRSs that are not in the HSWA Module DOE reviews and approves the SAP [noted by "DA" on the figure] and a copy is sent to the AA for review [noted by "R" on the figure]. For PRSs that are on the HSWA Module, the AA reviews and approves the SAP²; regulatory review for approval may result in an NOD cycle³ (NOD loops are not shown in Figure 1). AOCs identified by the AA as SWMUs will be added to the HSWA Module.

Step 2. Perform the field investigation.

THIS (2) DOES NOT APPLY @ THIS STEP

¹NMED HRMB is the RCRA/HSWA Administrative Authority.

²The AA has agreed that if review comments are not received by LANL within 45 days, LANL will proceed at risk with the activities specified in a Sampling Plan (Step 14) or a VCA/VCM Plan (Step 8a through Step 11). When comments are received, a NOD cycle may result.

³NOD cycle is a regulatory process in which the AA sends a Notice of Determination (NOD) which LANL must adequately respond to in order to receive approval from the AA for a particular document; as the AA may send more than one NOD on the same document, the process is potentially cyclical.

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Step 3. Perform a data assessment and compare results to data quality objectives (DQO).

Step 4. QUESTION: Do the data support a recommendation of no further action (NFA)?

Step 5. If the answer in Step 4 is YES, prepare and submit a "Final Report"⁴ supporting the NFA recommendation. DOE and the AA review the RFI Report. For PRSs that are not on the HSWA Module, DOE makes a determination of NFA for the record⁵ (see Step 5a). For HSWA PRSs, concurrence from the AA is received before LANL proceeds with a formal permit modification. Regulatory review for approval may result in an NOD cycle.

Step 6. For PRSs in the HSWA Module, prepare and submit an NFA permit modification request. (This step follows the RCRA permit modification process).

Step 6a. For PRSs not on the HSWA Module, prepare and submit a NFA request for DOE approval and send a copy for AA review.

Step 7. If the answer in Step 4 is NO: QUESTION: Is further RFI investigation required? The LANL criteria for no further investigation are that acceptable knowledge is available to adequately identify constituents of concern, e.g., previous sampling data and / or adequate archival data are available to adequately identify constituents of concern

Step 8. If the answer in Step 7 is NO: QUESTION: Do the data support an accelerated cleanup? The criteria for accelerated cleanup are the following:

- Cleanup levels are based on background concentrations, promulgated standards, or ^{# 5} site specifically determined risk-based levels; DOU SAYS "PREVIOUSLY"
- ✓ • the remedy is obvious and can be readily applied; ^{# 1}
- ✓ • the remedy will be a final resolution in order to prevent ^{POTENTIAL} releases or ^{# 2} migration of contaminants from the site in the future;
- ~~acceptable knowledge is available to adequately identify constituents of concern,~~ ^{# 3}
✓ e.g., previous sampling data and / or archival data are available to adequately identify constituents of concern;
- ✓ • adequate treatment, storage, and disposal (TSD) capacity is available for all ^{# 4} expected waste types.

(TWO BULLETS FROM DOU ARE MISSING - OK)

Step 8a. If the answer in Step 8 is YES, then a fact sheet for the PRS will be prepared and sent to

⁴ "Final Report" may refer to: an RFI Report, a VCA Report, etc.

⁵ The record refers to the ER Program records which keep track of PRS status.

* SMALL SCALE
PRS (MOSTLY
POCS & SOME
STWWS) ... ?

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to the AA for review⁶. Within the transmittal letter of those fact sheets, the ER Program will provide three tables. Table A will list those PRSs not in the HSWA Module or those in the HSWA Module with a SRS score of less than or equal to 25. Table B will list units in the HSWA Module with a SRS score greater than 25 for which the facility recommends to proceed on at risk without enhanced regulatory involvement. Table C will list units in the HSWA Module with a SRS ranking of greater than 25 for which LANL recommends enhanced regulatory involvement. Recommendations will be made considering the complexity and location of the site, and cost of the cleanup. The factors supporting the recommendations will be included in the transmittal letter and summarized in the fact sheets for the units in Table B and C. Upon receipt of the fact sheets and recommendations, the AA will either concur or disagree with the recommendations or identify units for which additional information is required before a decision can be made. This additional information is given in the form of site briefings and also, if requested, site visits (see Step 9a).

Step 9. If the answer in Step 8 is YES: QUESTION: Does the site meet the VCA criteria? (Refer to the criteria provided in Step 8).

Step 9a. Site briefings are provided to the AA when they notify LANL that fact sheets are not adequate for the regulator to make a determination for whether enhanced regulatory involvement is required. At the close of the briefing, the AA will indicate one of the following outcomes: 1) VCA Plan is appropriate (Step 10); 2) VCM Plan is appropriate (Step 11); or 3) Site visit / additional information is required. The AA may also indicate one of these outcomes during the site visit or some other step in the process.

Step 10. Develop a VCA Plan for DOE approval. A copy of the plan is sent to the AA for information purposes (the AA may perform audits to verify that the VCA criteria -- see step 9 above -- is applied to PRSs accurately).

Step 11. A VCM Plan is provided to the AA for review and approval. If the AA does not provide comments within 45 days of receiving the plan, LANL may choose to proceed at risk with cleanup activities.

Step 12. Perform public involvement via distribution of fact sheets, public availability sessions, and, if requested, site tours (Note: public involvement will take place prior to performing the cleanup but may not always take place after the plan is generated; flexibility in moving the sequence for public involvement allows grouping of VCAs/VCMs for the public availability sessions).

⁶If the program finds that a VCA/VCM schedule must be accelerated due to factors such as field mobilization, the ER Program will immediately fax in a fact sheet and call NMED to discuss the need to proceed at risk immediately.

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Step 13. Perform cleanup, prepare the VCA or VCM Report and proceed to step 5.

Step 14. If the answer in Step 7 is YES, prepare a modification to the SAP. [NOTE: This step can be taken at any point in the process, especially during Steps 2 and 3.] The ER Program (e.g., DOE and/or UC) provides approval of "non-significant" revisions (see Example 1 for criteria of "non-significant" revisions). The AA approves "significant" revisions and additions (see Examples 2&3 for criteria of "significant" modifications). The AA has 45 days to review and approve the work or LANL will proceed at risk. Following approval, repeat Steps 2-4.

(Step 15 currently reserved).

Step 16. If the answer in Step 8 is NO: QUESTION: Do the data support a Corrective Measures Study (CMS)?

Step 17. If the answer in Step 16 is YES, prepare an RFI Report. The RFI Report may attach recommendations for the CMS Plan. For PRSs not listed on the HSWA Module (e.g., rad only PRSs), DOE provides approval of the RFI Report and a review copy is sent to the AA. For units listed on the HSWA Module, the AA approves the RFI Report; a NOD cycle may result from regulatory review.

Step 18. A CMS Plan is prepared following approval of the RFI Report. For PRSs not listed in the HSWA Module, DOE approves the CMS Plan. For PRSs on the HSWA Module, the AA approves the CMS Plan. Following approval of the CMS Plan, proceed to Step 19.

Step 19. Implement the CMS⁷ and proceed to Step 5.

Examples

Example 1. Field work shows that a "non-significant" revision to the SAP is needed, e.g., a limited number of additional samples should be collected to define the nature and extent of contamination to support an NFA proposal, a VCA, an AC, or a CMS. In this case, the additional sampling required does not represent a change in approach to the approved sampling plan. Internally, planning for such revisions can be added directly to the existing frame work under which the sampling was initiated, e.g., supporting outlines/plans such as the DQOs, QAPP, H&S Plans, etc. Initiation of a DQO process is not indicated. The revision is approved internally by ER Project members (DOE, FPL, etc.).

Document this additional work in the following manner:

⁷The AA may require a permit modification prior to implementation of the CMI.

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1. Inform the AA of the revision in the monthly report.
2. Prepare a memo to file for internal tracking purposes.
3. Describe and explain the revision in the RFI Report or VCA Report.
4. Provide the 10-day notification of field work to the AA in the event that re-mobilization is required.

Example 2. Significant Revision: a regulatory approved SAP is significantly revised, e.g., the changes require the development of a new framework to support the revision (new DQOs, QAPP, H&S Plan, etc.); the cost and schedule to support the changes may also require revision. Examples of significant revisions include (1) the addition of a substantial area to the PRS area, e.g., field work leads to the discovery of contamination in a channel not previously believed to be connected to the PRS; and (2) a ~~significant~~ decrease in the number of samples and/or analytes is proposed. For HSWA PRSs, a copy of the revised plan is sent to the AA for approval following DOE review. For PRSs not in the HSWA Module, DOE approves the plan and a review copy is sent to the AA.

WHO DETERMINES

Document this additional work in the following manner:

1. Reference the revision in the monthly report.
2. Provide review copies of the revision to DOE and the AA.
3. The AA approves the revision within 45 days or the work is initiated at risk.
4. Reference the revised SAP in the RFI Report or VCA Report.
5. Provide the 10-day notification of field work to the AA.

Example 3. Significant Additions: additions to an approved SAP require the development of a new framework to support the work, e.g., new DQOs, QAPP, H&S Plans, etc. Internal planning involves the formal preparation of a new SAP (the "Phase II" SAP is a previous example); the SAP will have the purpose of fully defining nature and extent for completing the RFI. This revision is approved by the AA for HSWA PRSs.

Document this additional work in the following manner:

1. Reference the revision in the monthly report.
2. Provide review copies of the revision to DOE and the AA.
3. NMED approves the revision within 45 days or the work is initiated at risk.
4. Reference the new SAP in the RFI Report or VCA Report.
5. Provide the 10-day notification of field work to the AA.

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