EPA’s Role in the Site Remediation and Cleanup Program at SRS

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Overview

- Introduce EPA
- Origin of Superfund
- How Superfund applies to SRS
- EPA’s involvement in SRS remediation program
United States Environmental Protection Agency (EPA)

mission:

*To protect human health and the environment*

- Independent agency formed in 1970
- Congress writes environmental laws
- EPA writes regulations to implement laws
- EPA enforces regulations
- EPA sets national standards
Origins of Superfund

CERCLA: Comprehensive Environmental Response Compensation and Liability Act (Superfund)

Became law in 1980
Amended in 1986
Origins of Superfund

- “Reactive” law, addressing previously contaminated sites
- Established in response to disasters like Love Canal, NY and Valley of the Drums, KY
CERCLA

CERCLA provides authority for the federal government to respond to releases or threatened releases of hazardous substances
National Contingency Plan

- National Contingency Plan (NCP) is the set of implementing regulations – “rules”
- Procedures for conducting CERCLA response actions
- Establishes the risk level that triggers clean up action
CERCLA at Federal Facilities

Executive Order 12580 (1987):

- Delegates to DOE and DoD the responsibility to implement certain provisions of CERCLA
- Makes DOE and DoD the "lead agency"
- Federal facilities must follow policies and procedures as spelled out in the NCP
- EPA either concurs with remedies proposed by lead agencies or picks another appropriate remedy
CERCLA at Federal Facilities

Federal Facilities (DoE, DoD, etc.) are subject to CERCLA requirements similar to private entities
National Priorities List

Current Sites (excludes 48 deleted sites)
- SAA (18 of 26 in Potential EJ Areas)
- NPL (66 of 167 in Potential EJ Areas)

Planned Site Listing
- FY10 (5 of 6 in Potential EJ Areas)
- FY11 (12 of 14 in Potential EJ Areas)
Department of Energy Facilities in EPA Region 4

- Savannah River Site – South Carolina
- Paducah Gaseous Diffusion Plant - Kentucky
- Oak Ridge Reservation – Tennessee
- Pinellas Plant – FL (RCRA FDEP lead)
EPA Region 4
Department of Defense Facilities

34 NPL or BRAC facilities – Army, Navy, Air Force, Marines, NASA
Savannah River Site

- Added to the Superfund National Priorities List – December 1989

- SRS required to have a Federal Facilities Agreement (agreement with State & EPA)
Federal Statutes for Cleanup of Federal Facilities

- CERCLA
- RCRA
- Oil Pollution Control Act
- Safe Drinking Water Act
- Clean Water Act
- Clean Air Act
SRS - Federal Facility Agreement
August 1993

Three party agreement (DOE, EPA, SCHEC)
- Governs investigation and remediation program
- Roles and responsibilities of each party
- Schedules and deadlines
- Enforceable milestones, penalties
- Procedures to working together
- Dispute resolution
EPA’s Role

- Oversight of remedial actions at SRS
- Ensure adherence to the NCP, CERCLA, FFA, guidance
- Technical and procedural assistance
- Information, guidance, training
EPA’s Role

EPA and SCDHEC concurrence required:

- Select of remedies (Record of Decision)
- Implement remedies
- Operate remedies
- Determine success of remedies

Involvement – early & often –

- Process leading up to selecting remedies
- Designing and installing remedies
- Monitoring and evaluating effectiveness of remedies
EPA SRS Team

- Martha Berry – RPM
- Diedre Lloyd – RPM
- Jon Richards – RPM (shared)
- Rob Pope – RPM & FFA Manager
EPA SRS Team Support

- **Hydrogeologists** (Ben Bentokowski, Kay Wischkaemper)
- **Risk Assessor** (Tim Frederick)
- **Attorney** (Rhelyn Finch)
- **Database/Tracking** (Carolyn Haugabook)
- **Community Involvement** (Kyle Bryant)
- **TechLaw – Regional Oversight Contract**
  - Document Review, Field Oversight, Meeting Support
EPA Decision Process:
RPM level (Martha, Diedre, Jon, Rob)

- EPA RPM involved in remedial process === via the Core Team and Scoping process
  - Collaborate sampling and monitoring plans
  - Conduct site visits and inspections, field oversight
  - Review data
  - Review documents
  - Comment on documents and resolving issues
  - Ensure adherence to NCP, EPA guidance
  - Participate in meetings, teleconferences, team work
  - Consider public input

- EPA RPM integral in identifying preferred remedy(ies)
EPA Decision Process: EPA Management Level

- EPA Management and EPA HQ:
  - consider proposed remedies
  - ensure national consistency and adherence to NCP, national guidance
  - ensure that plan has State concurrence
  - give approval to proceed with Proposed Plan

- EPA RPM represents the SRS Core Team’s decisions
EPA Decision Process: Superfund Division Director

- Proposed Plan issued to the public
- DOE writes the Record of Decision, considering public comments (core team participation)
- DOE signs the Record of Decision
- EPA signs the ROD
- SCDHEC signs the ROD
EPA Involvement Continues

- Ensure remedy is:
  - designed and constructed according to plan
  - achieving the objectives outlined in the ROD
  - protective of human health & environment

- Regular effectiveness monitoring

- 5 Year Remedy Reviews
  - EPA management and HQ involved in findings, and follow-up to 5-year reviews
Three Party Decisions

Decision Documents “belong” to DOE, SCDHEC and EPA

EPA must sign a ROD for it to be final per the requirements of the NCP
Collaboration

- Team work approach employed to ensure meeting all FFA requirements while streamlining and accelerating process
  - Core Team
  - Scoping meetings
  - Design teams – special topics

- Requires dedication and commitment from each of the three parties
Current Activities and Projects

- FFA commitments
- C Area
- P Area (groundwater)
- D Area (coal ash & gw)
- T Area (TNX groundwater)
- R Area (groundwater)
- A Area Units (ash & vadose)
- High Level Waste Tanks
- LLWD Facility (E Area)
- EJ Meetings

- Integrator Operable Units
  - Lower Three Runs - Tail
  - Steel Creek–Dunbarton Bay
- B Area (HWCTR)
- CMP Pits (groundwater)
- L Area (groundwater)
- D&D
- 5 year remedy reviews
- Field oversight
- CAB
22 non-compliant tanks to be closed by 2022
2 tanks were closed in 1997
Tanks 18 & 19 closed 2012
Two more tanks must achieve bulk waste removal by 9/30/10 (Achieved)
Individual tank closure per South Carolina regulations using Closure Modules
Tank Farms are CERCLA OUs – that will have RODs
Tank closure milestones in FFA – subject to dispute if missed
DOE prepares a Performance Assessment for each tank farm - EPA, SCDHEC, NRC comment

Each tank farm also will have a General Closure Plan under the State WW permit

SCDHEC is the lead for tanks up to the PP/ROD

EPA reviews and issues comments to SC on tank documents up to PP/ROD

After tanks exit permit, oversight is done by SCDHEC and EPA per the FFA

NRC also has a monitoring role
A Proposed Plan and Interim ROD is planned for each tank farm - individual tanks will be added to Interim ROD via an ESD as the tanks close and exit the SC WW Permit – F Tank Farm IROD is complete with 2 ESDs already, H Tank Farm IROD will be done when tanks 12 and 16 are closed

EPA is committed along with DOE and SCDHEC to close the tanks and eliminate the threats associated with the liquid waste
The next tank closure milestone is for 4 tanks on 9/30/15
SRS has closed 2 of these tanks (5 and 6)
Tanks 16 and 12 are behind schedule
DOE requested an extension for the milestone
Neither EPA nor SCDHEC approved the extension request
DOE has invoked formal dispute per the FFA
EPA, SCDHEC, and EPA are discussing the request further per FFA
Questions

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