



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

1 3 MAR 2008

Reply To: OCE-164

David L. Wessman,
TSCA Compliance Manager
U.S. Department of Energy
1955 Freemont Avenue, MS 1216
Idaho Falls, ID 83415

Re: Toxic Substances Control Act (TSCA) Risk-Based Disposal Approval for Storage and Processing for Disposal of Test Area North Buried Piping at the Idaho National Laboratory Site

Dear Mr. Wessman:

This letter constitutes approval under the authority of 40 Code of Federal Regulations (CFR) 761.61(c) to manage PCB remediation waste destined for disposal at the United States Department of Energy Nevada Test Site (NTS). This approval is specific to approximately 600 linear feet of direct buried stainless steel drain lines associated with the Hot Shop and Hot Cell located at Test Area North (TAN) (building TAN-607), Idaho National Laboratory (INL), and is subject to conditions established below. The management activities which may be conducted pursuant to this approval are within the definition of "disposal" at 40 CFR 761.3, but are limited to activities necessary to qualify the wastes for transportation to and disposal at the NTS. The rationale of the U.S. Environmental Protection Agency (EPA) for establishing each of these conditions is contained in the Statement of Basis appearing as Enclosure 2 of this letter.

This written decision for a risk-based method for disposal of PCB remediation waste is based on the U.S. Department of Energy, Idaho Operations Office (DOE-ID) application for a RBDA request dated February 14, 2008, as well as additional information provided to the EPA in support of this application, identified in Enclosure 1. In granting this approval, EPA finds that the proposed management of PCB remediation waste destined for disposal at the NTS, subject to the conditions below, will not pose an unreasonable risk of injury to human health or to the environment. The conditions of this approval are enforceable under TSCA and implementing regulations 40 CFR 761.61(c). Any actions by the DOE which violate the terms and conditions of this letter may result in administrative, civil, or criminal enforcement by EPA in accordance with Section 16 TSCA, 15 USC § 2615.

Conditions

- 1) This approval applies to PCB remediation consisting of approximately 600 linear feet of direct buried stainless steel drain lines associated with the Hot Shop and Hot Cell located at Test Area North (TAN) (building TAN-607), Idaho National Laboratory (INL), as documented in the RBDA application (Reference 1). This approval shall remain in effect for one year from its effective date. DOE-ID may request an extension to this one-year period if necessary to support final disposal of the wastes at the NTS, and the requested extension is not in conflict with the requirements of the Voluntary Consent Order dated June 14, 2000, between DOE-ID and the Idaho Department of Environmental Quality.
- 2) DOE-ID is authorized to store and process for disposal the PCB remediation wastes identified in Condition 1 for purposes of achieving compliance with applicable waste acceptance criteria for the planned disposal unit, and applicable Department of Transportation shipping requirements.

DOE-ID will conduct such activities as documented in the RBDA Application (Reference 1) section entitled "Planned Storage, Processing and Disposal Activities," and conditions of this approval.

- 3) Addition of absorbents and macro-encapsulation processing for disposal activities and storage for disposal of PCB remediation wastes under this approval shall be in compliance with and conducted only in units subject to the requirements of the Idaho Hazardous Waste Management Act (HWMA) and implementing regulations, and in compliance with the requirements of 10 CFR Part 835 and DOE Order 5400.5.
- 4) DOE-ID shall ensure that personnel involved in work subject to this approval are adequately trained and provided appropriate personnel protection equipment (PPE) according to requirements of DOE Order 5400.5 and 10 CFR Part 835 applicable to such work.
- 5) Processing for disposal activities shall be limited to periods of suitable weather and environmental conditions (work areas reasonably free of accumulated rain or snow, no excessive wind speeds, etc.) as necessary to ensure no unreasonable risk of injury to human health or the environment.
- 6) Macro-encapsulation boxes containing pipe segments but not yet filled with non-biodegradable absorbents or grouted must be covered with tarps or other suitable covers to minimize intrusion of precipitation or wind-blown debris.
- 7) Secondary waste generated as a result of activities subject to this approval and regulated for disposal under TSCA shall be managed according to the applicable requirements of 40 CFR Part 761. With respect to the requirements of TSCA, non-liquid secondary wastes regulated for disposal may be macro-encapsulated with piping subject to this approval, provided the resulting waste form will meet all waste acceptance criteria of the NTS disposal unit and applicable DOT shipping requirements.
- 8) All equipment or structures which are or may be contaminated by PCB remediation waste as a result of work authorized by this approval shall be decontaminated according to the requirements of 40 CFR 761.79, a clean debris surface according to the alternate treatment standards for hazardous debris in 40 CFR 268.45, or disposed of according to applicable requirements of 40 CFR Part 761.
- 9) Nothing in this approval relieves DOE-ID of any obligations to comply with all other rules and regulations applicable to the activities subject to this approval.
- 10) If anytime before, during or after management of PCB remediation waste under this approval, DOE-ID possesses or is otherwise made aware of any data or information (including but not limited to site conditions that differ from those presented in this RBDA application) indicating that activities approved herein may pose an unreasonable risk of injury to health or the environment, DOE-ID must report such data, via facsimile or e-mail to EPA within five working days, and in writing to the Regional Administrator within 30 calendar days, of first being made aware of that data. DOE-ID shall immediately cease all activities approved herein that may pose an unreasonable risk of injury to health or the environment. Such activities shall not resume until EPA provides written notification that the activities in question no longer pose an unreasonable risk of injury to health or the environment.
- 11) EPA reserves the right to modify or revoke this approval based on information provided pursuant to Condition 10, or any other information available to EPA that provides a basis to conclude that activities covered by this approval pose an unreasonable risk of injury to health or the environment. DOE-ID may request modification of this approval by providing written notice according to Condition 12. If EPA agrees with a request for modification, EPA will provide

written approval to DOE-ID. Prior to obtaining written approval of a modification request, DOE-ID shall comply with the existing approval conditions.

12) Submissions required by this approval shall be provided to EPA as follows:

EPA: Michael A. Bussell
Office of Compliance and Enforcement
EPA Region 10
1200 6th Ave., Suite 900, MS OCE-164
Seattle, WA 98101
E-mail: Bussell.michael@epa.gov
Facsimile: (206) 553-7176

W/copies to Dave Bartus
Office of Air, Waste and Toxics
EPA Region 10
1200 6th Ave., Suite 900, MS AWT-122
Seattle, WA 98101

E-mail: Bartus.dave@epa.gov
Facsimile: (206) 553-8509

Michael Gregory
Idaho Department of Environmental Quality
1410 N. Hilton
Boise, ID 83706

E-mail: michael.gregory@deq.idaho.gov
Facsimile: (208) 373-0154

Should you have any questions or comments, please contact Dave Bartus at (206) 553-2804, or Bartus.dave@epa.gov.

Sincerely,



Michael A. Bussell, Director
Office of Compliance and Enforcement

Enclosure

cc: Nick Ceto, EPA HPO
Mark Masarik, EPA IOO
Michael Gregory, IDEQ
Kelly Wright, Shoshone-Bannock Tribe

Enclosure 1

Supporting Documentation

**Approval of the Toxic Substance Control Act (TSCA) Risk-Based Disposal Approval (RBDA)
Application for Storage and Processing for Disposal of Test Area North Buried Piping at the Idaho
National Laboratory Site**

- 1) DOE-ID letter, Kliss McNeel, CH2M-WG, and David L. Wessman, United States Department of Energy, Idaho Operations Office, to Michael A. Bussell, Director Office of Compliance and Enforcement, United States Environmental Protection Agency, Region 10, "Toxic Substances Control Act (TSCA) Risk-Based Disposal Approval Application for Storage and Processing for Disposal of Test Area North Buried Piping at the Idaho National Laboratory Site," CCN 306357, February 14, 2008.
- 2) Voluntary Consent Order, Department of Energy, Idaho Operations Office (DOE-ID), and the State of Idaho Department of Environmental Quality (DEQ), June 14, 2000.
- 3) 10 CFR Part 835, "Occupational Radiation Protection".
- 4) DOE Order 5400.5, "Radiation Protection of the Public and the Environment".

Enclosure 2

Statement of Basis

Background

TAN-607 was a large “nuclear facility” with over 150,000 square feet of floor space. The northern portion of TAN-607 consists of the Hot Shop and Hot Cell that were specifically designed to conduct research and design in very high radiation fields that resulted in extreme radioactive contamination. The Hot Shop was the largest shielded remote handling facility in the United States. Demolition activities have removed the facility with the exception of the facility floor slab and the underlying grouted drain lines associated with the TAN-607 Hot Shop and Hot Cell. The buried drain lines are being removed to satisfy a milestone under a Voluntary Consent Order between the Department of Energy, Idaho Operations Office (DOE-ID), and the State of Idaho Department of Environmental Quality (DEQ), dated June 14, 2000 (Reference 2). The direct buried drain lines were filled with grout prior to TAN-607 building demolition in order to minimize radioactive airborne contamination, maintain radiological exposure as low as reasonably achievable, and to reduce the risk of non-radiological hazards to the workers during the line removal and sizing operations.

EPA’s Evaluation of DOE-ID’s Risk-Based Disposal Approval Application

Wastes Proposed for Treatment

The waste covered by this application consists of PCB-contaminated residual solids contained within approximately 600 linear feet of direct buried stainless steel drain lines associated with the Hot Shop and Hot Cell located at Test Area North (TAN) (building TAN-607), Idaho National Laboratory (INL). These drain lines, which are located underneath the TAN-607 Hot Shop and Hot Cell, will be removed and managed as PCB remediation waste in conjunction with demolition activities associated with the TAN-607 Hot Shop and Hot Cell.

The drain lines are free of liquids since these gravity draining lines were accessed at the lowest elevation, drained of all liquids, and grouted. Analytical results from sampling of the liquid showed extremely low concentrations of PCBs (<1 ppb) while results from sampling of residual solids present within these drain lines prior to grouting indicated PCB concentrations ranging between 112 ppm to 558 ppm. The residual solids were also sampled and found to be RCRA characteristically hazardous for D008 (lead) and D009 (mercury). This RCRA regulated waste will require macro-encapsulation treatment prior to off-site disposal at the Nevada Test Site (NTS), which is a RCRA-permitted treatment storage and disposal facility. This is the only disposal option for this waste in the nation.

Disposal Unit Waste Acceptance Criteria Compliance

As noted in the previous section, DOE-ID has determined that the NTS is the only disposal option in the nation for wastes subject to this approval. In the RBDA application, DOE-ID documented several factors that it considered in evaluating NTS as the final disposal facility. These include:

- NTS waste acceptance criteria for both radionuclides and chemical constituents;
- Department of Transportation requirements concerning the type of shipping container, maximum weight limits, and acceptable radiation levels for each of the waste containers
- Treatment requirements and treated waste form

Since the scope of this RBDA is limited to storage and processing for disposal at the INL, EPA is not independently reviewing or opining on DOE-ID’s compliance with these requirements. Further, most if

not all of these requirements are outside the scope of requirements in 40 CFR 761. However, it would be difficult to demonstrate compliance with the TSCA no unreasonable risk standard by granting an RBDA approval that might result in a processed waste without a transport or disposal pathway. This concern is addressed through Condition 2 of the approval, which states that the purpose of the authorized processing for disposal is satisfaction of applicable NTS waste acceptance criteria and Department of Transportation requirements. EPA notes that DOE-ID has provided a reasonable demonstration that PCB remediation waste subject to this approval will be acceptable for transport and disposal. EPA is accepting this demonstration as the basis in part for this RBDA approval.

As noted in the RBDA application, treatment via macro-encapsulation will be performed as a means to demonstrate compliance with RCRA waste acceptance criteria and land disposal restriction treatment standards pursuant to the NTS RCRA permit, EPA/State ID No. NV3 89009 0001. While this treatment or method of treatment is not a TSCA requirement, it does constitute processing for disposal that requires authorization under TSCA. Similarly, storage prior to and after processing for disposal constitutes storage for disposal, again subject to the requirement for authorization under TSCA. Both of these requirements for TSCA authorization are fully satisfied by this RBDA. EPA notes that EPA is not exercising TSCA authority to require excavation of the drain lines, since this work is already agreed to between DOE-ID and the Idaho Department of Environmental Quality under the Voluntary Consent Order dated June 14, 2000 (Reference 2). Any cleanup or remediation following excavation of the drain lines will be performed as part of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) non-time-critical removal action for demolition of TAN-607.

Discussion of EPA's approach to evaluating the risk of injury to human health and the environment for Storage and Processing for Disposal Activities

The storage and processing for disposal activities subject to this approval are relatively straight-forward, in that none of them involve liquids, elevated temperatures, or thermal treatment that could increase the chances of injury to human health or the environment. EPA has considered the following factors in evaluating the risk of injury to human health and the environment by the approved activities:

- The risk of generation and dispersal of fine solids during size reduction activities;
- The risk of storing PCB remediation waste awaiting processing for disposal, processing for disposal via macro-encapsulation, and storing processed wastes pending transport off-site.

Generally, the only significant potential for spills or releases of PCB remediation waste during storage or processing for disposal activities is during size reduction. A track hoe equipped with a processor head will be used to size reduce the drain lines. Prior to cutting the excavated lines, the soil under the line segment will be exhumed to allow for the placement of a tray under the line. The tray will catch any loose grout that may be generated during the cutting process. If the cutting process results in the generation of dust, radiological control professionals may require the use of a HEPA filtered air mover to control the spread of radioactive contamination. Experience from size reduction of non-TSCA regulated piping to date has shown no dust generation or spread of radiological contamination; therefore, the use of a HEPA filtered air mover is not anticipated. Following size reduction, pipes are either placed in prepared steel containers for macro-encapsulation, or have their cut ends covered with Herculite® (vinyl laminated polyester fabric) and sealed with pipe clamps and tape to prevent releases of PCB-containing waste or grout. These steps will ensure no release or dispersal of PCB remediation waste following size reduction.

To compliment the processing steps described above, EPA is requiring that storage and processing for disposal activities be conducted only under suitable weather conditions (work areas reasonably free of accumulated rain or snow, no excessive wind speeds, etc.). This requirement will help ensure the effectiveness of the contamination dispersal control steps described above, and avoid accumulation of precipitation or debris in macro-encapsulation boxes that might complicate addition of absorbents or

grouting, or result in generation of additional secondary wastes or compromise effectiveness of processing for disposal necessary to meet disposal unit waste acceptance criteria and Department of Transportation shipping requirements. To further minimize the potential for macro-encapsulation boxes containing pipe segments prior to grouting to accumulate precipitation or wind-blown dust or debris, EPA is including a requirement that macro-encapsulation boxes be covered with a tarp or other suitable cover when pipe segments are in the box but not yet grouted.

Once macro-encapsulated, there is little possibility of any spill or release of PCB remediation waste, and waste packages will be weather-tight, so no specific management standards or conditions are needed to ensure satisfaction of the TSCA no unreasonable risk standard.

Spills or Releases from Storage and Processing for Disposal Activities

Since PCB remediation waste subject to this approval does not contain free liquids and is in a non-flowing solid form (except for fines potentially generated during size reduction as described above), there is little if any potential for spills or releases during storage or processing for disposal activities subject to this approval. Other than the requirements discussed above, no other preventive or remedial requirements for potential spills or releases from activities subject to this approval are necessary to ensure no unreasonable risk of injury to human health or the environment.

EPA is not imposing any recordkeeping or reporting requirements in this approval under TSCA. Normally, such requirements would be advisable to ensure that any sorts of systematic issues that might result in spills or releases could be addressed, and that records of spills/releases would be available at the time of final disposition of equipment. In this instance, however, EPA believes that there is little need for such a requirement, since the radiological nature of the wastes being managed means that ALARA principles will ensure that spills/releases are quickly and effectively cleaned up. Should spills or releases occur, they would be reportable under Condition 10 of this approval.

Treatment System Disposition and/or Decontamination

As noted in the RBDA application, soils underlying pipelines that will be removed following demolition of TAN-607 will be included within the scope of the CERCLA non-time-critical removal action for demolition of TAN-607. Further, the size reduction fines control requirements of this RBDA approval are expected to ensure little if any PCB remediation waste from size reduction activities will impact underlying soils. Therefore, EPA is not including any disposition or decontamination requirements related to areas in which size reduction will take place.

Similarly, the requirements of this approval for macro-encapsulation activities and storage for disposal activities will effectively prevent any spills or releases of PCB remediation waste that would require subsequent cleanup or decontamination. Should unexpected events occur during work activities subject to this approval, Conditions 11 and 12 of the approval ensure that EPA is aware of the circumstances, and can impose appropriate requirements as necessary to ensure no unreasonable risk of injury to human health and the environment.

Equipment used for size reduction may, however, become contaminated with PCB remediation waste. EPA is establishing general requirements for decontamination and/or disposal of such equipment to ensure satisfaction of the TSCA no unreasonable risk standard.

Discussion of Conditions

The DOE must comply with all conditions outlined in this approved RBDA which includes:

- 1) This approval applies to PCB remediation consisting of approximately 600 linear feet of direct buried stainless steel drain lines associated with the Hot Shop and Hot Cell located at

Test Area North (TAN) (building TAN-607), Idaho National Laboratory (INL), as documented in the RBDA application (Reference 1). This approval shall remain in effect for one year from its effective date. DOE-ID may request an extension to this one-year period if necessary to support final disposal of the wastes at the NTS, and the requested extension is not in conflict with the requirements of the Voluntary Consent Order dated June 14, 2000, between DOE-ID and the Idaho Department of Environmental Quality.

This condition establishes the scope and duration of the approval, and helps establish consistency between this approval and the Voluntary Consent Order under which the pipe excavation is being conducted.

- 2) DOE-ID is authorized to store and process for disposal the PCB remediation wastes identified in Condition 1 for purposes of achieving compliance with applicable waste acceptance criteria for the planned disposal unit, and applicable Department of Transportation shipping requirements. DOE-ID will conduct such activities as documented in the RBDA Application (Reference 1) section entitled "Planned Storage, Processing and Disposal Activities," and conditions of this approval.

This condition provides the actual authorization to conduct storage and processing for disposal activities, establishes the overall performance requirement of meeting NTS waste acceptance criteria and DOT transportation requirements.

- 3) Addition of absorbents and macro-encapsulation processing for disposal activities and storage for disposal of PCB remediation wastes under this approval shall be in compliance with and conducted only in units subject to the requirements of the Idaho Hazardous Waste Management Act (HWMA) and implementing regulations, and in compliance with the requirements of 10 CFR Part 835 and DOE Order 5400.5.

This condition ensures the cited activities are conducted in a manner which satisfies the TSCA no unreasonable risk standard in full integration with other applicable regulatory requirements. This requirement applies to the cited processing activities, and storage for disposal activities that include pipe segments with capped ends awaiting placement in a macro-encapsulation boxes, pipe segments placed in macro-encapsulation boxes awaiting addition of absorbent and grouting, and grouted macro-encapsulation boxes. In establishing the requirement to comply with 10 CFR Part 835 ("Occupational Radiation Protection") and DOE Order 5400.5 ("Radiation Protection of the Public and the Environment."), EPA is not asserting TSCA jurisdiction over the radionuclide component of wastes or activities subject to this approval. Rather, EPA is accepting under TSCA authority that the provisions of these regulations will prevent exposure of workers, the public and the environment to PCB remediation waste as necessary to ensure satisfaction of the TSCA no unreasonable risk standard.

- 4) DOE-ID shall ensure that personnel involved in work subject to this approval are adequately trained and provided appropriate personnel protection equipment (PPE) according to requirements of DOE Order 5400.5 and 10 CFR Part 835 applicable to such work.

This condition helps ensure that workers have appropriate training and PPE to ensure that work conducted under this approval satisfies the TSCA no unreasonable risk standard. See the discussion for Condition 3 with respect to the citation of DOE Order 5400 and 10 CFR Part 835.

- 5) Processing for disposal activities shall be limited to periods of suitable weather and environmental conditions (work areas reasonably free of accumulated rain or snow, no excessive wind speeds, etc.) as necessary to ensure no unreasonable risk of injury to human health or the environment.
- 6) Macro-encapsulation boxes containing pipe segments but not yet filled with non-biodegradable absorbents or grouted must be covered with tarps or other suitable covers to minimize intrusion of precipitation or wind-blown debris.

Conditions 5 and 6 are established to account for the potential adverse effects of wind and precipitation on the activities authorized by this approval.

- 7) Secondary waste generated as a result of activities subject to this approval and regulated for disposal under TSCA shall be managed according to the applicable requirements of 40 CFR Part 761. With respect to the requirements of TSCA, non-liquid secondary wastes regulated for disposal may be macro-encapsulated with piping subject to this approval, provided the resulting waste form will meet all waste acceptance criteria of the NTS disposal unit and applicable DOT shipping requirements.

This condition ensures that secondary wastes generated pursuant to activities authorized by this approval are properly managed. While secondary wastes are not necessarily within the scope of this approval, this condition allows DOE-ID to manage them via macro-encapsulation along with pipe segments, provided the resulting waste package remains suitable for transportation and disposal. This condition is not intended to limit any of the options DOE-ID might have available for management of secondary wastes.

- 8) All equipment or structures which are or may be contaminated by PCB remediation waste as a result of work authorized by this approval shall be decontaminated according to the requirements of 40 CFR 761.79, a clean debris surface according to the alternate treatment standards for hazardous debris in 40 CFR 268.45, or disposed of according to applicable requirements of 40 CFR Part 761.

This condition establishes requirements for final decontamination and/or disposal of equipment and structures used as part of work conducted under this approval. This condition is intended to afford DOE-ID as much flexibility as possible consistent with satisfaction of the TSCA no unreasonable risk standard.

- 9) Nothing in this approval relieves DOE-ID of any obligations to comply with all other rules and regulations applicable to the activities subject to this approval.

Activities authorized by this approval are subject to numerous considerations, not all of which are subject to TSCA authority. This condition reflects EPA's acknowledgement that success and environmental performance must reflect compliance with all applicable requirements.

- 10) If anytime before during or after management of PCB remediation waste under this approval, DOE-ID possesses or is otherwise made aware of any data or information (including but not limited to site conditions that differ from those presented in this RBDA application) indicating that activities approved herein may pose an unreasonable risk of injury to health or the environment, DOE-ID must report such data, via facsimile or e-mail to EPA within five working days, and in writing to the Regional Administrator within 30 calendar days, of first being made aware of that data. DOE-ID shall also report new or different information related to a condition at any element of the processing for disposal or storage activities if the information is relevant to this approval. DOE-ID shall immediately cease all activities approved herein that may pose an unreasonable risk of injury to health or the environment. Such activities shall not resume until EPA provides written notification that the activities in question no longer pose an unreasonable risk of injury to health or the environment.

The purpose of this condition is to ensure that information relevant to EPA's finding of no unreasonable risk of injury to health and the environment remains up-to-date throughout the duration of this approval, and that activities conducted pursuant to the approval demonstrate compliance with this standard.

- 11) EPA reserves the right to modify or revoke this approval based on information provided pursuant to Condition 10, or any other information available to EPA that provides a basis to conclude that activities covered by this approval pose an unreasonable risk of injury to health or the environment. DOE-ID may request modification of this approval by providing written notice according to Condition 12. If EPA accepts a request for

modification, EPA will provide written approval to DOE-ID. Prior to obtaining written approval of a modification request, DOE-ID shall comply with the existing approval conditions.

The purpose of these conditions is to ensure that all activities for the duration of processing for disposal or storage activities continue to pose no unreasonable risk of injury to health or the environment, and that EPA is assured of receiving the necessary supporting information. While this approval reflects EPA's findings that the proposed activities satisfy the requirements of 40 CFR 761.61(c) based on the information cited in the Statement of Basis, EPA also recognizes that the unique nature of activities covered by this authorization make it very possible that new information will be available that warrant explicit EPA evaluation and/or response. This condition ensures EPA's ability to respond appropriately.

12) Submissions required by this approval shall be provided to EPA as follows:

EPA: Michael A. Bussell
Office of Compliance and Enforcement
EPA Region 10
1200 6th Ave., Suite 900, MS OCE-164
Seattle, WA 98101
E-mail: Bussell.michael@epa.gov
Facsimile: (206) 553-7176

w/copies to: Dave Bartus
Office of Air, Waste and Toxics
EPA Region 10
1200 6th Ave., Suite 600, MS AWT-122
Seattle, WA 98101
E-mail: Bartus.dave@epa.gov
Facsimile: (206) 553-8509

Michael Gregory
Idaho Department of Environmental Quality
1410 N. Hilton
Boise, ID 83706

E-mail: michael.gregory@deq.idaho.gov
Facsimile: (208) 373-0154

This condition is generally self-explanatory. EPA is including IDEQ to be copied on correspondence since work subject to this approval is directly related to the Voluntary Consent Order to which IDEQ is a party.