



DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT, CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

REPLY TO
ATTENTION OF:

Office of Counsel

December 7, 2000

Larry V. Erickson, DOE Unit Chief
Federal Facilities Section
State of Missouri Department of Natural Resources
Division of Environmental Quality
P.O. Box 176
Jefferson City, MO 65102-0176

Re: Evaluation of Proposed ARARs and TBCs for the North County Record of Decision

Dear Mr. Erickson:

The St. Louis District FUSRAP team appreciated the opportunity to discuss the draft feasibility study and proposed Applicable or Relevant and Appropriate Requirements (ARARs) and To Be Considered (TBCs) guidance with Dan Wall from the U.S. EPA, you and your staff on September 13, 2000. At this meeting, we provided you with a table indicating our initial evaluation of the proposed ARARs and TBCs. The proposed ARARs and TBCs were provided by your office in a letter dated September 17, 1998. In an attempt to respond to comments raised at the meeting and issues realized upon further review, we have revised our evaluation of the proposed ARARs and TBCs for the North County Record of Decision. Said revision is enclosed.

In light of our discussions at the September 13, 2000 meeting, we have reviewed the list of proposed ARARs, which you submitted in September of 1998. We are now furnishing you with this official written response to your earlier submittal. As you will observe, many of your proposed ARARs were not accepted. There are three primary reasons for this treatment. First, to be considered an ARAR, the proposed regulation must be promulgated within the meaning of 42 USC Sec. 9621 (CERC LA Sec. 121) or 40 CFR Sec. 300.400(g). Many of the citations, which you proposed, were not promulgated guidance. For example, the Corps of Engineers' Engineering Regulations are not promulgated and therefore do not meet the definition of a potential ARAR.

Second, to be accepted as ARAR, the citation must be an environmental law setting forth a cleanup standard, requirement criteria, or limitation within the meaning of 42 USC 9621. Some of the citations, which you proposed, did not set forth such standards or criteria. An example of such a citation is the Native American Graves Protection and Repatriation Act (25 USC Sec. 3001-3013). Therefore, such proposed ARARs could not be accepted.

Finally, with regard to State regulations, such regulations must set forth a more stringent standard than the similar/equivalent Federal regulation to be accepted as ARAR. An example of such a State standard that you had proposed which does not meet the "more stringent standard" test is the Standards Applicable to Generators of Hazardous Wastes (10 CSR 25-5.262), as contrasted with the Corresponding Federal requirement found at 40 CFR Part 262.

However, although many of your proposed citations were not accepted as ARAR, the St. Louis District will comply with all legally binding requirements. For instance, regulations addressing employee safety, such as OSHA, will be adhered to and identified in Site Safety and Health Plans.

As a result of our discussions at the September 13, 2000 meeting, some of the regulations, which have been accepted as ARARs, have been revised. In revising the accepted ARARs, the Corps has added information regarding circumstances under which a regulation is an ARAR.

We understand that you will need to coordinate these issues with the Missouri Department of Health. Feel free to contact the undersigned at 314/331-8732 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mark A. Wunsch".

Mark A. Wunsch
Assistant District Counsel

Enclosure

CC: Dan Wall (USEPA)

U.S. Army Corps of Engineers, St. Louis District
Response to the State of Missouri, Department of Natural Resources
Proposed ARARs for the North County Record of Decision

CITATION	TITLE	RESPONSE
USEPA OSWER No. 9200.4-18 "EPA policy on using 40 CFR Part 192 for CERCLA cleanup criteria at radioactive sites, including radium and thorium."	EPA policy directives for CERCLA Sites with Radioactive Contamination	No. EPA guidance documents are not promulgated regulations within the meaning of 42 USC §9621 (CERCLA Section 121) or 40 CFR §300.400(g). OSWER No. 9200.4-18 was one of several guidance documents evaluated while developing ARARs for the North County Site, but is not itself an ARAR. USEPA OSWER No. 9200.4-18 presents clarifying guidance for establishing protective cleanup levels for radioactive contamination at CERCLA sites.
USEPA OSWER No. 9200.4-23 "EPA policy for ARAR determination for radioactive sites"	EPA policy directives for CERCLA Sites with Radioactive Contamination	No. EPA guidance documents are not promulgated regulations within the meaning of 42 USC §9621 (CERCLA Section 121) or 40 CFR §300.400(g). OSWER No. 9200.4-23 was one of several guidance documents evaluated while developing ARARs for the North County Site, but is not itself an ARAR. "Specifically, this memorandum clarifies that, in rare instances, the Agency may establish preliminary remediation goals (PRGs) at levels more protective than required by ARARs, even at sites that do not involve multiple contaminants or pathways of exposure."
10 CSR 20-7.031(5)(D)	Missouri Effluent Regulations, Groundwater (1996)	No. Not a relevant and appropriate state standard within the meaning of 42 USC §9621 (CERCLA Section 121) or 40 CFR §300.400(p). The "A" unit is not a drinking water source and does not communicate with groundwater unit E (the only drinking water unit). At present there are no FUSRAP-related contaminants in the aquifer of concern (H2-E) that exceed concentrations as listed in Table A Column VII.

CITATION	TITLE	RESPONSE
16 USC §470 40 CFR §6.301(b) 36 CFR Part 800	National Historic Preservation Act	No. The National Historic Preservation Act is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621. No historic sites have been identified so as to require NHPA as a location-specific ARAR.
Sections 253.408 to 253.412 of the Revised Statutes of Missouri (RSMo).	State Historic Preservation Act	No. The State Historic Preservation Act is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621. No historic sites have been identified so as to require MoHPA as a location-specific ARAR.
16 USC §469 40 CFR §6.301(c)	Archeological and Historical Preservation Act	No. The Archeological and Historic Preservation Act is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621. No Historical archeological data has been identified so as to require AHPA as a location specific ARAR.
16 USC §470(a)	Archeological Resources Protection Act	No. The Archeological Resources Protection Act is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621. No historic sites have been identified so as to require ARPA as a location-specific ARAR.
25 USC §§3001-3013	Native American Graves Protection and Repatriation Act	No. The Native American Graves Protection Act is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621. No Native American gravesites have been identified nor suspected so as to require NAGPA as a location-specific ARAR.

CITATION	TITLE	RESPONSE
Executive Order No. 11988	Floodplain Management and Protection	No. Federal Executive Orders are not promulgated regulations within the meaning of 42 USC §9621 (CERCLA Section 121) or 40 C.F.R. §300.400(g). [Note: See 40 CFR 6.302(b) (next item) that incorporates requirements in EO 11988]
40 CFR 6.302(a) and (b), Appendix A	Floodplain Management and Protection	No. 40 CFR 6.302(a) and (b), Appendix A, are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g).
40 CFR Part 230 and 231 33 CFR Parts 320-330	Dredge or Fill Requirements (Section 404)	Yes. Will be followed as a promulgated regulation for a location specific ARAR due to existence of identified waters of the United States (Coldwater Creek). Specific Provisions Considered ARAR: 40 CFR 230 and 231 33 CFR 320-330
COE Engineering Regulation (ER) 1165-2-26, March 30, 1984	COE Implementation of Executive Order 11988 on Flood Plain Management	No. COE regulations are not promulgated regulations within the meaning of 42 USC §9621 (CERCLA Section 121) or 40 C.F.R. §300.400(g)
Executive Order No. 82-19	Governor's Executive Order, Flood Plans	No. State Executive Orders are not promulgated standards within the meaning of 42 U.S.C. §9621 or 40 C.F.R. §300.400(g)(4).

CITATION	TITLE	RESPONSE
40 CFR Part 61 Subpart I	Clean Air Act – National Emission Standards for Radionuclide Emissions from Facilities Licensed by the Nuclear Regulatory Commission and Federal Facilities Not Covered by Subpart H.	<p>Yes. As with SLDS, these regulations implementing Clean Air Act emissions standards are considered relevant and appropriate to the extent necessary to insure that emissions during RD/RA activities meet regulatory limits at the North County Site.</p> <p>Specific Provisions Considered ARAR: 40 CFR 61.102(a)</p>
40 CFR Part 61 Subpart Q	Clean Air Act – National Emission Standards for Radon Emissions from Department of Energy Facilities	No. National Emission Standards for Radon Emissions from DOE facilities are not considered applicable. While the standards are relevant, they are not appropriate given that implementation of 40 CFR Part 61 Subpart I addresses site emissions.
USEPA, Office of Groundwater Protection, December 1986	Guidelines for Groundwater Classification under the EPA Groundwater Protection Strategy	No. EPA guidance documents are not promulgated standards within the meaning of 42 USC §9621 (CERCLA Section 121) or 40 CFR §300.400(g)(4). This guidance is used to classify the ground water for the water-bearing units of concern. This classification is documented in the FS and provides justification for decisions made for the ground-water portion of the North County Site.
33 CFR Part 230	Procedures for Implementing NEPA: Environmental Assessments and Categorical Exclusions	No. CERCLA considers and is fully compliant with NEPA. NEPA is a procedural statute with no substantive standards and the latter passed CERCLA...provides substantially the same public comment opportunities while promoting a policy of prompt cleanup of contamination.
40 CFR Part 262, as incorporated by reference in 10 CSR 25-5-262	RCRA Generator Requirements	No. 40 CFR Parts 262 is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.

CITATION	TITLE	RESPONSE
40 CFR Parts 260 and 261, as incorporated by reference in 10 CSR 25-4.261	RCRA Hazardous Waste Characterization	<p>Yes. 40 CFR Parts 260 and 261 are relevant and appropriate for identification and characterization of possible hazardous wastes. If hazardous waste as defined in these sections is encountered, this regulation would apply.</p> <p>Specific Provisions Considered ARAR: §260 Appendix I §§261.1 through 261.7; §261.10; §§261.20 through 261.24; §261.31</p>
40 CFR Parts 268.7 and 268.32, as incorporated by reference in 10 CSR 25.7.268	RCRA Land Disposal Restrictions	<p>Yes. 40 CFR Part 268.7 is relevant and appropriate for alternatives involving the disposal of hazardous wastes. §268.32 has been rescinded.</p> <p>Specific Provisions Considered ARAR: §268.7</p>
10 CFR Part 40 Subpart A	Criteria for Disposal of Wastes from Processing Source Material	<p>Yes. 10 CFR 40, Appendix A, Criterion 6 (1) through 6 (5) are relevant and appropriate for materials left on site. Appendix A Criterion 6(a) is relevant and appropriate for derivation of remediation goals for tailings nuclides other than Ra-226.</p>
10 CFR Part 61 Subpart C and Subpart D	NRC Licensing Requirements for Land Disposal of Radioactive Waste: Performance Objectives (Subpart C) and Technical Requirements for Land Disposal Facilities (Subpart D).	<p>No. 10 CFR Part 61 Subparts C and D apply to NRC regulated radioactive waste disposal and are not appropriate for the St. Louis North County Site.</p>

CITATION	TITLE	RESPONSE
10 CSR 10-5.090	Restriction of Emission of Visible Air Contaminants	No. 10 CSR 10.5.090 is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g). CSR 10.5.090 was rescinded May 30, 2000.
10 CSR 10-6.170	Restriction of Particulate Matter to the Ambient Air Beyond the Premise of Origin	No. 10 CSR 10-6.170 is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g).
10 CSR 20-7.031(4)(1) 10 CSR 20-7.031(5) and Table A	Missouri Water Quality Standards	No. Not a relevant and appropriate state requirement within the meaning of 42 USC §9621 or 40 CFR §300.400(g).
10 CSR 20-6.200	Storm Water Regulations: Surface Runoff and Erosion Control	Yes. Substantive requirements for onsite storm water, surface water, sediment control, runoff, etc. are relevant and appropriate action specific ARAR during cleanup. Specific Provisions Considered ARAR: 10 CSR 20-6.200 (1), (3), and (4)
10 CSR 25-4.261	Methods for Identifying Hazardous Waste	No. 10 CSR 25-4.261 is not an ARAR because it is not more stringent than the corresponding Federal requirement at 40 CFR Part 261.
10 CSR 25-5.262	Standards Applicable to Generators of Hazardous Wastes	No. 10 CSR 25-5.262 is not an ARAR because it is not more stringent than the corresponding Federal requirement at 40 CFR Part 262.

CITATION	TITLE	RESPONSE
10 CSR 25-7.268	Land Disposal Restrictions	No. 10 CSR 25-7.268 is not an ARAR because it is not more stringent than the corresponding Federal requirement at 40 CFR Part 268.
10 CSR 80-3.010(3)	State Sanitary Landfill Design and Operation: Disposal of Low-Level Radioactive Material in Missouri	No. State Sanitary Landfill Design and Operation regulations do not set forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR §300.400(g). Sanitary landfill design and operation are not anticipated actions.
10 CSR 80-3.010(4)	State Sanitary Landfill Design and Operation: Sanitary Landfill Siting Requirements	No. State Sanitary Landfill Design and Operation regulations do not set forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR §300.400(g). Sanitary landfill design and operation are not anticipated actions.
10 CSR 80-3.010(17)	State Sanitary Landfill Design and Operation: Sanitary Landfill Cover Requirements	No. State Sanitary Landfill Design and Operation regulations do not set forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR §300.400(g). Sanitary landfill design and operation are not anticipated actions.
29 CFR Part 1910	OSHA - General Industry Standards	No. OSHA and implementing regulations are not Federal environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.
29 CFR Part 1926	OSHA - Safety and Health Standards	No. OSHA and implementing regulations are not Federal environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.

CITATION	TITLE	RESPONSE
29 CFR Part 1904	OSHA – Recordkeeping, Reporting, and Related Regulations	No. OSHA and implementing regulations are not Federal environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.
49 CFR Part 171	Hazardous Material Transportation Regulation (HMTR)	No. HMTR is not a Federal environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.
49 CFR Part 172	HMTR	No. HMTR is not a Federal environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.
COE Engineer Regulation (ER) 385-1-80, May 30, 1997.	COE Ionizing Radiation Protection	No. COE Engineer Regulations are not promulgated regulations within the meaning of 42 U.S.C. §9621 (CERCLA Section 121) or 40 CFR §300.400(g).
COE Engineer Regulation (ER) 385-1-92, March 18, 1994	COE Safety and Occupational Health Document Requirements for Hazardous, Toxic, and Radioactive Waste (HTRW) and Ordinance and Explosive Waste (OEW) Activities	No. COE Safety and Occupational Health Regulations are not promulgated regulations within the meaning of 42 U.S.C. §9621 (CERCLA Section 121) or 40 CFR §300.400(g).
19 CSR 20-10.040	Maximum Permissible Exposure Limits for Radiation	No. 19 CSR 20-10.040 is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.

CITATION	TITLE	RESPONSE
29 CFR 1910; 1910.1000 Subpart Z. Toxic and Hazardous Substances	Occupational Safety and Health Administration Standards	No. 29 CFR 1910 and 29 CFR 1910.1000 Subpart Z are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.
10 CFR 835	Occupational Radiation Protection	No. 10 CFR 835 is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621. 10 CFR 835 pertains to DOE operations.
19 CSR 20-10.050	Missouri Radiation Regulations: Protection Against Ionizing Radiation Personnel Monitoring and Radiation Surveys	No. 19 CSR 20-10.050 is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.
29 CFR 1910; 1910.96 Subpart G. Ionizing Radiation	Occupational Safety and Health Administration Standards Occupational Health and Environmental Control	No. 29 CFR 1910 and 29 CFR 1910.96 Subpart G are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 (NOTE: 29 CFR 1910.96 has been "redesignated")
19 CSR 20-10.090	Missouri Radiation Regulations Protection Against Ionizing Radiation Disposal of Radioactive Wastes	No. 19 CSR 20-10.090 is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.
19 CSR 20-10.070	Missouri Radiation Regulations: Protection Against Ionizing Radiation. Storage of Radioactive Materials	No. 19 CSR 20-10.070 is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621.

CITATION	TITLE	RESPONSE
19 CSR 20-10.080	Missouri Radiation Regulations: Protection Against Ionizing Radiation. Control of Radioactive Contamination	No. 19 CSR 20-10.080 is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621
10 CSR 10-5.180, Emission of Visible Air Contaminants from Internal Combustion Engines	Missouri Air Pollution Control Regulations: Air Quality Standards and Air Pollution Control Regulations for the St. Louis Metropolitan Area	Yes. 10 CSR 10-5.180 is an action specific relevant and appropriate standard for internal combustion engine use within the North County Site. Specific Provisions Considered ARAR: 10 CSR 10-5.180 (1)
10 CSR 20-6.010	Missouri Construction and Operating Permit Regulations	No. State construction permit requirements are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g).
10 CSR 23-4.050	Missouri General Protection of Groundwater Quality and Resources	No. Not a state requirement within the meaning of 42 USC 9621 or 40 CFR 300.400(g).
10 CSR 20-6.010(13)	Missouri Stormwater Discharge Regulations	No. 10 CSR 20-6.010(13) is not an ARAR because it is not more stringent than the corresponding Federal requirement. This requirement is also contained within another state-proposed ARAR.

CITATION	TITLE	RESPONSE
40 CFR Part 192	Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings Subpart D. Standards for Management of Uranium Byproduct Materials Pursuant to Section 84 of the Atomic Energy Act of 1954, as amended; Subpart E. Standards for Management of Thorium Byproduct Materials Pursuant to Section 84 of the Atomic Energy Act of 1954, as amended.	<p>40 CFR 192 Subparts A, B and C are identified as the primary chemical ARAR. Relevant and Appropriate Chemical Specific ARARs.</p> <p>Specific Provisions considered ARAR: Subpart A: §190.02 (a) and (b); Subpart B: §192.11 (c); §192.12 (a) and (b) Subpart C: §192.20 (a) (1); §192.20 (a) (3); §192.20 (b) (1); §192.20 (b) (2); §192.20 (b) (3); §192.21 (a-f, h); §192.22 (a-c) with implementation by USACE rather than DOE</p>
40 CFR 141, 56 FR 33050 July 18, 1991	Safe Drinking Water Act. Proposed National Primary Drinking Water Regulations	<p>Yes. Relevant and appropriate to the HZ-E unit, which is the only actual or potential source of drinking water. There are no FUSRAP related contaminants in the aquifer of concern (HZ-E) that exceed concentrations as listed in Table A Column VII</p> <p>Specific Provisions considered ARAR: Subpart B §141.11 Subpart G §141.62</p>
40 CFR 192.02	Groundwater Standards for Remedial Actions at Inactive Uranium Processing Sites	No. 40 CFR §141 has been deemed to be appropriate in lieu of 40 CFR §192.02

CITATION	TITLE	RESPONSE
40 CFR 121.11 and 141.62 10 CSR 60-4.030	Safe Drinking Water Act: National Primary Drinking Water Regulations; Maximum Contaminant Levels; Missouri Drinking Water Regulations; Maximum Inorganic Chemical Contaminant Levels	Yes. 40 CFR §141.11 and 40 CFR §141.62 are relevant and appropriate to the HZ-E unit which is the only actual or potential source of drinking water Specific Provisions considered ARAR: §141.11, §141.62 Note: Assume that 141.11 was intended rather than 121.11
16 USC 469 PL 93-291; 88 Stat. 174	Archeological and Historic Preservation Act	No. The Archeological and Historical Preservation Act is not an environmental law setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g). No archeological data has been identified so as to require AHPA as a location specific ARAR.
10 CSR 23-1.010 through 1.060	Definitions Application to All Wells Type of Wells Qualifications Application for a Permit	No. The state permit requirements are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g).
10 CSR 23-1.090	Permit Requirement Well Registration	No. The State permit requirements are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g).
10 CSR 23-1.105	Permit Renewal	No. The State permit requirements are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g).

CITATION	TITLE	RESPONSE
10 CSR 23-4.010-4.08	Monitoring Well Construction Code	No. The State requirements are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g).
10 CSR 25-6.263	Standards for Transporters of Hazardous Waste	No. State standards for transporters of hazardous waste are not more stringent than the corresponding Federal requirements at 40 CFR 263 and 49 CFR.
10 CSR 30-2.030	General Land Surveying Requirements	No. The State requirements are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g).
RSMo 327	Missouri Law Regulating the Practice of Architecture, Professional Engineering and Land Surveying	No. The State laws regulating the practice of architecture, professional engineering and land surveying are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g).
10 CSR 80-2.010	Definitions Solid Waste Management	No. The State requirements are not environmental laws setting forth a cleanup standard, requirement, criteria, or limitation within the meaning of 42 U.S.C. §9621 or 40 CFR 300.400(g). [NOTE: The citation only covers the definitions of the regulation]

CITATION	TITLE	RESPONSE
40 CFR Parts 122-125	Clean Water Act – National Pollutant Discharge Elimination System (NPDES)	<p>Yes. 40 CFR 122-125 is applicable to off site releases. Relevant and appropriate chemical-specific ARAR. Currently meeting the substantive requirements of this regulation through NPDES permit equivalent at HISS and SLAPS.</p> <p>Specific Provisions considered ARAR: 40 CFR 122 Subpart C: §122.21 (g); §122.41 (d, e); §122.44 (a, d, e, i) 40 CFR 125 Subpart K: §125.100; §125.103</p>
Subpart M of 40 CFR 61	Procedures for asbestos emissions control	<p>Although not proposed by MDNR, the provisions of this regulation are relevant and appropriate given the presence of asbestos containing materials on the North County Site.</p> <p>Specific Provisions Considered ARAR: §61.150</p>
10 CFR 20.1403(e)(1)	Criteria for release under restricted conditions	<p>Added as TBC.</p> <p>Specific Provisions Considered 10 CFR 20.1403(e)(1)</p>

Cataloging Form
{Technical/Project Managers fill in C through G, K through Q. RM completes other fields}

A. Document ID Number: Assigned by database **00-495**

B. Further Information Required?: ☐

C. Operable Unit (Choose One):

USACE ☐
St. Louis Sites ☐
Downtown ☐
North County ☒
Madison Sites ☐
Inaccessible Areas ☐
PRP ☐
Oversight Committee ☐

D. Site (Optional):

SLDS VPs ☐
Mallinckrodt ☐
SLAPS ☐
SLAPS VPs ☐
CWC ☐
HISS ☐
Madison ☐

E. Area (Optional): _____

F. Primary Document Type (Choose One):

Site Management Records ☐
Removal Response ☐
Remedial Investigation ☐
Feasibility Study ☒
Record of Decision ☐
Remedial Design ☐

Remedial Action ☐
Public Affairs/Community Relations ☐
Congressional Relations ☐
Freedom of Information Act ☐
Real Estate ☐
Project Management ☐

G. Secondary Document Type (see back of form): Applicable or Relevant & Appropriate Requirements (ARAR) Determination

H. Bechtel Number: _____

I. SAIC Number: _____

J. MARKS Number(Choose One): FN: 1110-1-8100e ☐ FN: 1110-1-8100f ☐ FN: 1110-1-8100g ☐

K. Subject/Title: Evaluation of Proposed ARARs & TECs for North County ROD

L. Author: Mark Wunsch

M. Author's Company: OC

N. Recipient(s): Larry Erickson

O. Recipient(s) Company: MDNR

P. Version (Choose One): Draft ☐

Final ☒

Q. Date: 12/07/00

R. Include in the ARF? ☐

S. Include in the AR? ☒

T. Filed as Confidential/Privileged? ☐

U. Document Format (Choose one):

Paper ☒
Electronic ☐

Photographic ☐
Audio-visual ☐

Cartographic/Oversize ☐
Microform ☐

V. Filed in AR Volume Number: _____

W. Physical Location (Choose One):

Central Files ☒
Records Holding Area ☐

Microfilm Vendor ☐
Department of Energy ☐

In ARF ☐
In AR ☐

X. Associated with Document(s): _____