



**COLORADO PETROLEUM
ASSOCIATION**

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January 13, 2014

Mr. Steve Tarlton,

Thank you for visiting with the Colorado Petroleum Association Upstream Committee last November. Our members appreciated the opportunity to hear from you and David Snapp regarding the Produced Water and TENORM stakeholder processes.

We are writing to request an extension of the comment deadline for the TENORM Policy and Guidance Revision. CPA members are very interested in providing comments to the stakeholder process. We believe an extension of the comment period would benefit all interested stakeholders and regulatory officials.

We note that just over a month has passed since the last stakeholder process was held (December 11) and many stakeholders may not have focused on this important process during the holidays.

CPA and many of its members have been focused on the Air Quality Control Commission's Oil and Gas Rulemaking which has a very tight schedule, prehearing statements for parties were due last Monday, January 6. Many of our members staffing the TENORM Stakeholder Process for their companies have responsibilities associated with the AQCC rulemaking process.

CPA appreciates the interest by you and your staff to move forward with these proposed revision, but believe the work product of the stakeholder process will benefit from an extension of the deadline for comments.

Thank you for your consideration of this request, we look forward to working with you in this endeavor.

Sincerely,

Stan Dempsey, Jr.
President

Sent electronic: steve.tarlton@state.co.us

Images are not displayed.

Hi Steve et al,

You and Jim did a good job of presenting and organizing the NORM/TENORM Stakeholder's meeting. Charles Johnson is a real asset as well.

Just a couple of thoughts/notes/comments from the meeting this week before too much time passes and good intentions turn into silence.

1. You are clearly on the right track in looking at breaking out into smaller work groups, in particular, by industry. Different industries obviously generate different waste streams, so minimally, separating oil and gas from water treatment just makes sense. If there is a significant mining group contingency that would be worthwhile too. Delineation by industry is just more efficient for everyone, preserving their time and keeping them focused on the components that impact them and where they potentially bring some expertise.
2. It might also be good to specifically have a group that walks through the current guidance, highlighting the areas of deficiency and opportunity for improvement. I should have spoken up clearly on your behalf to let people know that as good as the guidance was in 2007, things have changed and the guidance should reflect those changes. I just don't think most people have ever read the guidance and don't realize that it is dated and out of step with where the department is now headed. You may even want to make this a focus of your next meeting - have everyone that is interested highlight **in advance** areas to be addressed; then give folks the opportunity to sign up for their separate industry work groups at that meeting.
3. It may make sense to have one other more technical group (RSOs, CHPs, and perhaps solid waste) assembled at some point. They could meet to discuss dose assessments, RESRAD/CAP-88 modeling, give input on acceptable thresholds, look at disposal options, etc.

I'm not sure where the lawyers and lobbyists fit in. Maybe in the coffee room until things are better formulated. :0

Next Generation will help however we can so feel free to call on us. Hope you have a great weekend.

Kurt

Kurt Rhea
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RE: Stakeholder Meeting 1

Beeson, Anthony abeeson@burnsmcd.com 10/16/13

Steve,

Thanks for your response.

My primary interest in this process is regarding water treatment residuals. I just didn't want to get too invested if the 2007 policy wasn't being considered for revision. I agree that some improvements can be made. I'm looking forward to being part of the process.

Thanks
Anthony

From: steve.tarlton@state.co.us [mailto:steve.tarlton@state.co.us] **On Behalf Of** TENORM Policy Revision, CDPHE

Sent: Tuesday, October 15, 2013 5:24 PM

To: Beeson, Anthony

Cc: Jerry Smith - CDLE; James Grice - CDPHE

Subject: Re: Stakeholder Meeting 1

Yes, the other process is focused on produced water for dust control and has looked at TENORM as one of the considerations. They will have one meeting on Oct 22 where they expect to get agreement to suspend until we work our TENORM issues some.

We will send a copy of the sign in sheets.

The 2007 policy is somewhat outdated, based on our experience to date. I do not know what, if anything will be changed in the approach to water treatment residuals. That will be part of the discussion among the group. Do you have an opinion or thoughts as to what could be improved?

Thanks for your interest.

Steve tarlton
CDPHE

On Wed, Oct 9, 2013 at 8:42 AM, Beeson, Anthony <abeeson@burnsmcd.com> wrote:
Can you clarify how the stakeholder meeting held yesterday will integrate with the process started here...

<http://www.colorado.gov/cs/Satellite/CDPHE-HM/CBON/1251643519986>

Is this what Charles Johnson was referring to when he said they would likely be suspending their efforts?

Also, can you clarify if the intent of this process is to revise the '2007 Final Draft Interim Policy' or just create a policy broader than water treatment plant residuals? Are we satisfied with what we have for WTP residuals?

Thanks for your time

Anthony

Anthony Beeson, PE

Project Manager, Water Group

Burns & McDonnell

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TENORM- Comments after Kick-Off Meeting

Kathryne Marko Kathryne.Marko@ci.longmont.co.us

10/21/13

Thank you for coordinating such a large stakeholder group, it's not an easy task and I appreciate you including all of the appropriate groups to get our comments before moving forward. From the first meeting, I understand that you want to make this guidance general so it will cover many types of scenarios. Although on the surface this seems to make sense, when we start getting into the details it may not be needed. I've tried to outline my concerns in these comments, but if you want to have a more detailed conversation about them, feel free to give me a call.

At the kick-off meeting we had a lot of discussion about defining the problem and goals. What I understood was the radiation program has had to deal with many case-by-case issues and in order to deal with the majority of scenarios a media specific format is preferred. However, in the meeting, it seemed that all the examples given for showing a problem was the oil and gas industry. In order for us to help with this process we need understand the types of case-by-case scenarios that are triggering a revision to the guidance. If the issue is the oil and gas industry, it seems that a whole revision is not needed; rather we just need to figure out the best way to add the oil and gas industry to the guidance document. It would be a great help if you could summarize the past case-by-case issues to show what the problem is. Then we would be better suited to help with the solution.

It appears that by changing to media specific guidance there would be a lot of testing to show that there's not an issue. There would need to be a concerted effort focused on exemptions. For example, a wastewater treatment plant that does not accept waste of concern should not be included in the requirements and should not have to test to prove there is not an issue. Also, it would be helpful if you could clarify if there is a need to change the water treatment plant requirements. If the requirements don't need to change, the drinking water industry would put in effort on the guidance revisions when there isn't any change in their requirements.

I just want to make sure I understand correctly. There will not be a new separate regulation for TENORM but there is anticipated to be new requirements added under existing regulations. Essentially this is new regulation but it's just being implemented in an existing regulatory framework.

Moving forward, we need to start with everyone understanding the problem. Then we can discuss the different options we have to address the problem. Thanks again for soliciting comments and let me know if you'd like to discuss anything further. I look forward to participating in this stakeholder process.

Thanks.

Kathryne Marko

Public Works and Natural Resources

City of Longmont

[303-651-8906](tel:303-651-8906)

I have a few comments regarding the policy and how it applies to biosolids.

1 - Biosolids should be allowed a matrix that if they do not accept water plant residuals from plants that treat well water then they are exempt.

2 - The sampling techniques and procedures need to be updated and easily accessible so you get the data you need that is correct and useful.

3 - The error in testing needs to be discussed. A report will say 10.1 pCi/gm with a +/- 4 and with the limit of 10 then you are Tier II. That is not right. With that much error there needs to be a way to allow for that to affect the practice.

4 - It appears the risk assessment for biosolids is not correct in many aspects. I am willing to meet separately with a few other biosolids managers and the state regulator Tim Larson and work through what biosolids application actually looks like.

5 - It appears from the models presented that concentration within a home is what drives radon and the whole model but does not every home have to do radon testing before you can buy it and if it is present a simple vent system is installed? Would that not alleviate the issue and make most of this go away and since this is true on any new home that pretty much solves the problem.

6 - I also have a concern with trying to manage exposure to 25 mrem. I would like the lawyers to figure this out because it looks like we are managing to such a low number that it is really background.

7 - Maybe the state should tell water treatment plants not to discharge water plant residuals to the WWTP if they have TENORM issues??? That would solve all biosolids issues.

Mike Scharp
scharpm@aol.com
O - [719-282-3574](tel:719-282-3574)



Fwd: Rocky Mountain Low-level Radioactive Waste Compact Board comments re TENORM policy revisions

1 message

TENORM Policy Revision, CDPHE <cdphe_tenormpolicyrevision@state.co.us>

Fri, Jan 31, 2014 at 9:01 AM

To: Jeannine Natterman - CDPHE <jeannine.natterman@state.co.us>

Another TENORM comment. She asked that we remove the boilerplate before posting.

Thanks.

Warren

----- Forwarded message -----

From: **Mary Keyes** <mary@sullivangreenseavy.com>

Date: Mon, Jan 13, 2014 at 3:37 PM

Subject: Rocky Mountain Low-level Radioactive Waste Compact Board comments re TENORM policy revisions

To: cdphe_tenormpolicyrevision@state.co.us

Cc: Barbara Green <barbara@sullivangreenseavy.com>, Leonard Slosky <LSlosky@slosky.com>

In response to the request for comments on the TENORM Policy Guidance Revision 2013 (Draft Overview 10/1/13), Sullivan Green Seavy, LLC, on behalf of the Rocky Mountain Low-Level Radioactive Waste Board ("Compact Board"), requests that:

1. The TENORM Policy take into account the Compact's jurisdiction over NORM/TENORM;
2. The TENORM Policy include the Compact (PUBLIC LAW 99-240—Jan. 15, 1986, at http://www.rmlwb.us/documents/Rules_12-3-10.pdf) among the applicable regulations listed in the Policy document, including the "Applicable Regulations" and "Regulations that impact TENORM;"
3. The TENORM Policy include the Board's regulations (RULES OF THE ROCKY MOUNTAIN LOW-LEVEL RADIOACTIVE WASTE BOARD, December 3, 2010, at http://www.rmlwb.us/documents/Rules_12-3-10.pdf) among the applicable regulations listed in the Policy document, including the "Applicable Regulations" and "Regulations that impact TENORM".

Thank you,
Barbara Green, General Counsel
Rocky Mountain Low-Level Radioactive Waste Board

Mary Keyes
Sullivan Green Seavy LLC

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