Promulgated ARAR Changes During this Review Period

ARAR[1]		Change	Impact to Remedy	Revision Reference	Contact Record	Effective Date
Stormwater Permit for Construction Activities	40 CFR 122.26	Issuance of the 2017 NPDES Construction General Permit (CGP) to replace 2012 CGP. (The new CGP has not been issued yet and is expected in Feb. 2017. FYR report will be updated when issued.)	None. Remedy protectiveness is not impacted because all activities subject to this ARAR, such as construction work to maintain the landfills covers and groundwater treatment systems, are conducted in accordance with the CGP substantive requirements.	Fill in with FR notice.	None	
General Permits	40 CFR 122.28	Issuance of Final 2016 NPDES Pesticide General Permit (PGP) to replace 2011 PGP.	None. Remedy protectiveness is not impacted because all activities subject to this ARAR, such as application of pesticides near onsite streams, are conducted in accordance with the PGP substantive requirements.	81 FR 75816	None	10/31/16
Permits for Dredged or Fill Material; Discharges of Dredged or Fill Material into Waters of the United States	33 CFR 323	Availability of the National Wetland Plant List, which is used to determine whether the hydrophytic vegetation parameter is met when conducting wetland determinations under the CWA.	None. Remedy protectiveness is not impacted because all activities subject to this ARAR, such as construction or maintenance at the landfills or monitoring locations, are conducted in accordance with wetlands delineation criteria.	81 FR 22580	None	05/01/16
		Notice announcing the withdrawal of the March 25, 2014 interpretive letter regarding the applicability of the exemption from permitting to discharges of dredged material associated with certain agricultural conservation practices provided under section 404(f)(1)(A) of the CWA.	None. This letter did not effect a change in the regulation, but clarified interpretation of the regulation. As such, it's withdrawal does not impact the remedy or protectiveness, since any actions taken with regard to dredged/fill material would be compliant with applicable regulations.	80 FR 6705	None	01/29/15
		Revision of definition of "Waters of the United States" in light of the U.S. Supreme Court cases.	None. This revision narrows definition of "waters of the state" and does not impact remedy protectiveness.	80 FR 37053	None	06/29/15
Colorado Basic Standards and Methodologies for Surface Water; Basic Standards Applicable to Surface Waters of the State	5 CCR 1002-31.11	Revisions and additions to basic standards for volatile organic compounds	None. Numeric standards for Carbon tetrachloride and Tetrachloroethene slightly increased from previous standards. The standard for *cis* -1,2-dichlorothene was changed to a concentration range, with the previous standard at the top of the range.	5 CCR 1002-31.51 (Statement of Basis)	2012-03	01/31/13
Classification and Numeric Standards South Platte River Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin; Classification Tables	5 CCR 1002-38.6	Revisions to site-specific standards for Big Dry Creek segments 4a, 4b, and 5 of the South Platte River Basin	None. Revisions included addition of Cr III(chronic) standard = 50 ug/L (T) for all segments with Water Supply use (5 CCR 1002-38.90(P)); addition of Cadmium, Lead, and Nickel standards for Water Supply uses of Big Dry Creek segments 2, 4a, 4b, 5, 6, and 7 (5 CCR 1002-38.90(Q)) .	5 CCR 1002-38.90 (Statement of Basis)	None	12/31/15
Colorado Noxious Weed Act	CRS 35-5.5-101 et seq.	Revisions to noxious weed lists and weed management plans.	None. Weeds are controlled in accordance with the RF integrated vegetation management approach, which is part of site maintenance activities. These amendments to the noxious weed lists and management plans do not impact remedy protectiveness.	8 CCR 1206-2	None	09/30/12; 03/30/14; 12/30/14; 12/30/15

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DOE Compliance with Floodplain/Wetlands Environmental Review Requirements	10 CFR 1022	Additions and modifications to Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway in Jefferson County, Colorado	None. These modifications are issued by FEMA and relate to flood hazard determinations; they do not alter the floodplain ARAR itself. However, FEMA is one of many resources that may be used to support flood hazard determinations required by the regulation (e.g., for new construction projects on site).	81 FR 66983	None	09/29/16
Colorado Air Permits	Not an ARAR in CAD/ROD	Air Pollutant Emissions Notice requirements	None. Since the last FYR, the passive groundwater treatments systems at two locations were reconfigured to allow treatment of groundwater from both locations at a single commercial air stripper. Because the air stipper releases VOCs to the air, the applicability of state air emissions regulations was evaluated. The calculated air emissions for the air stripper were determined to be below the regulatory threshold, thus an emissions notification to the regulator was not required, nor was an air permit.	5 CCR 1001-5 (Regulation 3, Part A II.B.3)	2014-01	

[1] From Table 21 in *Corrective Action Decision/Record of Decision for Rocky Flats Plant (USDOE)* , September 2006, unless otherwise noted.

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