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9. Remedy Selection

9.1 Criteria Review

Regulation 40 CFR §300.430(f) indicates that the cleanup remedies selected shall reflect the scope and purpose of the actions being undertaken and how the action relates to long-term, comprehensive response at the Site. As discussed in the introduction of Section 8, the nine evaluation criteria are divided into three groups. The groups are defined as follows:

- **Threshold criteria.** Overall protection of human health and the environment and compliance with ARARs (unless a specific ARAR is waived) are threshold requirements that each alternative must meet in order to be eligible for selection.
- **Primary balancing criteria.** The five primary balancing criteria are long-term effectiveness and permanence; reduction of toxicity, mobility, or volume through treatment; short-term effectiveness; implementability; and cost.
- **Modifying criteria.** State and community acceptance are modifying criteria that shall be considered in remedy selection.

9.2 Remedy Selection Process

Regulations 40 CFR §300.430(e) and (f) and §300.515(e) require the participation of the State (CDPHE and School) in discussions of the alternatives addressed in the FS prior to preparation of the proposed plan and ROD. The School and CDPHE discussed alternatives. As presented in the Proposed Plan, CDPHE preferred the offsite disposal (Alternative 5B). Specifics of Alternative 5B will be addressed at the completion of the public comment period.

9.3 Proposed Plan

The Proposed Plan for the CSMRI Site is provided in Appendix L. The plan includes information about the public comment period, the upcoming public meeting, and the location of the administrative record. The Proposed Plan is Alternative 5B.

9.4 Incorporation of RI/FS and Proposed Plan Comments

Additional components of the community relations required by 40 CFR §300.430(f)(3) after the release of the RI/FS and Proposed Plan include:

- Keeping a transcript of the public meeting held during the public comment period and making the transcript available to the public.
- Preparing a written summary of significant comments, criticisms, and new relevant information submitted during the public comment period and the School response to each issue.

This information shall be made available in the revised ROD or in an Explanation of Significant Differences (ESD). Following the publication of the Proposed Plan and before documenting the selected remedy in a ROD, any new information that significantly changes the basic features of the remedy (e.g., scope, performance, or cost) will be considered. The new information will be documented in the revised ROD or in an ESD. If additional public comment is required to

review the changes, a revised RI/FS and/or Proposed Plan will be resubmitted to the public for comment.

9.5 Final Remedy Selection

Following the public comment period and after all comments are received, the final remedy shall be selected. The final remedy will address comments and concerns submitted by the public and CDPHE.

9.6 Record of Decision

Either a new ROD will be issued, the 2004 ROD will be revised, or an ESD will be issued to document the final remedy selection. The ROD or ESD will be revised or generated in accordance with 40 CFR 300.430(f)(5) and/or 300.435(c)(2). The ROD and the ESD, if any, becomes the official Site cleanup document after CDPHE approval.

Following the CDPHE approval of the ROD, the public will be notified of its completion. Prior to the start of the remedial action, a notice of the ROD's, Revised ROD's, or ESD's availability will be published in local newspapers and a copy will be available in the Administrative Record locations. Additional public comment will not be provided as this requirement, if any, is being satisfied pursuant to this RI/FS public comment period.