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DOE/LANL Oversight Program
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August 18, 1994

Mr. Joseph C. Vozella, Chief
Environment, Safety and Health
Branch
Department of Energy
Los Alamos Area Office
Los Alamos, NM 87544

RE: NMED Ground Water Protection Business Plan Meeting

Dear Mr. Vozella:

Subsequent to the August 4, 1994 DOE/LANL/NMED Ground Water Protection Business Plan meeting, staff of the New Mexico Environment Department's AIP and Santa Fe-based compliance staff met to discuss several issues which arose during the meeting. Summarized below are the results of that discussion. These comments were provided to DOE and LANL representatives at a meeting held August 9, 1994. Paraphrased responses from DOE/LANL are presented in italics following the NMED comments where this was thought to be helpful.

1. NMED will maintain good communications with DOE/LANL throughout the course of the project by sharing data and keeping DOE/LANL apprised of its technical and regulatory positions in a good-faith effort to bring the project to a conclusion which is technically and regulatorily satisfactory to all parties; however, NMED must reserve the prerogative to bring enforcement actions against DOE/LANL should it determine that this is necessary in order to fulfil its legal obligations.

DOE/LANL understands NMED's position. In this regard DOE/LANL's objective in working closely with NMED on this project is to obtain early input and ensure that all components in the final monitoring system are acceptable to NMED. DOE/LANL cannot guarantee that it will be able to agree to all specific technical recommendations by NMED and understands that the cooperative effort and ongoing discussions between DOE/LANL and NMED can not preclude the possibility that NMED may determine that the monitoring system which results from these deliberations does not comprehensively fulfill all regulatory requirements. The goal of the close cooperation between DOE/LANL and NMED in this project is to minimize that possibility.



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2. The data objectives of each well location should be specific and should not be compromised by the attempt to make a given location serve multiple purposes, i.e., to serve as a site-wide subsurface data point as well as a regulated unit monitoring location.
3. Wells proposed to be located near RCRA-regulated units may not be sufficient for monitoring such units pursuant to RCRA requirements. Deferment of the installation of these wells until such time as the regulators have provided formal concurrence with their construction and placement would be prudent.
4. The date of the next monthly meeting should be moved forward to August 25.

If you have any questions regarding these matters please contact me at (505) 672-0447.

Sincerely,



Bruce Swanton, NMED
LANL Point of Contact

cc: Steve Rae, LANL K490
Barbara Hoditschek, NMED
Benito J. Garcia, NMED
Bill Stone, NMED
John Parker, NMED
Ron Kern, NMED
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