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*Steve
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Date: July 1, 1997
 Refer to: EM/ER:97-226

HSWT LANL 6/17/97

Mr. Benito Garcia
 NMED-HRMB
 P.O. Box 26110
 Santa Fe, NM 87502



SUBJECT: MINUTES FOR MONTHLY MEETING WITH HRMB

Dear Mr. Garcia:

Enclosed please find a copy of the minutes pertaining to the Environmental Restoration (ER) portion of the meeting held in Santa Fe on May 13, 1997, with members of your staff and personnel from Los Alamos National Laboratory's ER Project. The minutes have been reviewed by your staff.

Should you have any questions, please call Dave at (505) 667-0819 or Joe at (505) 667-5808.

Sincerely,

[Signature of David McInroy]

David McInroy, Compliance Manager
 LANL/ER Project

Sincerely,

[Signature of Joe Mose]

Joe Mose, Compliance Manager
 DOE/LAAO

DM/JM/ss

Enclosure: May 13, 1997, Monthly Meeting Minutes with HRMB

TC



Cy (w/ enc.):

W. Cox, SNL

J. Ellvinger, ESH-19, MS K490

R. Ferenbaugh, EES-15, MS J495

T. Glatzmaier, DDEES/ER, MS M992

D. Griswold, AL-ERD, MS A906

J. Jansen, EM/ER, MS M992

J. Mose, LAAO, MS A316

J. Plum, LAAO, MS A316

P. Shanley, ESH-19, MS K498

T. Taylor, LAAO, MS A316

T. Todd, LAAO, MS A316

EM/ER File, MS M992

RPF, MS M707

T. Davis, NMED-HRMB

S. Dinwiddie, NMED-HRMB

K. Hill, NMED-HRMB

J. Kieling, NMED-OB

J. Parker, NMED-OB

J. Rogers, NMED-GWQB

D. Wilburn, NMED-HRMB

Cy (w/o enc.):

T. Baca, EM, MS J591

G. Rael, DOE-AL, MS A906

J. Vozella, LAAO, MS A316

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New Mexico Environment Department (NMED) Hazardous and Radioactive
Materials Bureau (HRMB) and Los Alamos National Laboratory (LANL)
Environmental Restoration (ER) Project
Meeting Minutes
May 13, 1997

Attendees:

HRMB/NMED: Stu Dinwiddie, Teri Davis, Dianne Wilburn, John Kieling, Kim Hill (EPA)

LANL: Joe Mose (DOE), David McInroy (UC), Pat Shanley (UC/ATK)

Issues Not on Agenda

1. S. Dinwiddie stated NMED's concern with a statement in the national publication, Hazardous Waste News, dated December 2, 1996. The less than one page article is titled "Ecological Assessment Approach at LANL Proves Flexible, Defensible". The statement of greatest concern to NMED was, "[t]he approach also satisfies state and federal regulators". NMED indicated that they may contact the publication and request a retraction or correction to the article, as NMED has not yet approved LANL's ecological risk assessment approach.
2. S. Dinwiddie reiterated HRMB's displeasure at receiving open-ended extension requests. S. Dinwiddie indicated that all requests must have a proposed submittal date. D. McInroy indicated that the ER Project will not submit any more extension requests without a proposed submittal date and the reason this one was left open-ended was LANL's intent to discuss an acceptable delivery date during this meeting.

A brief general discussion on information requests occurred. D. McInroy clarified that the time LANL spends responding to information requests impacts resources previously scheduled to prepare RFI reports, VCA plans, etc. D. McInroy indicated that upon receipt of an information request, LANL will reply to the request and indicate when and if the information requested can be delivered. This approach should alleviate NMED's concern that LANL is not responsive to HRMB requests and LANL's concern that too much information in too short of a time frame is expected from them. As an aside, S. Dinwiddie indicated that in the past, all correspondence was to the facility owner (e.g., Tom Todd) and the co-permittee was carbon-copied.

D. McInroy expressed concern that information requests originally submitted by the AIP staff often become requirements from HRMB. S. Dinwiddie indicated that this occurs because HRMB, Surface Water Quality Bureau, and AIP commonly do have the same concerns.

Action Item: D. McInroy will prepare a letter to HRMB to supplement the LANL April 11, 1997, extension request for surface and ground water information. The supplemental information will be the dates that LANL intends to provide the information requested to NMED. Delivery of information may be staggered.

NMED asked how they could direct comments to LANL that would ensure the enhancement of FIMAD. LANL suggested that comments to that effect be provided when NMED reviews the Baseline.

(Agenda item 1 discussed later in meeting)

Agenda Item 2: Status of Recent Requests From HRMB

The status of the HRMB surface and ground water information requested was re-addressed.

Action Item: D. McInroy will present a draft format for the transmittal of surface and ground water information by the next meeting.

PTS Report: NMED requested a status on the changes that are being considered to the PTS report, based on their February 6, 1997 letter and a meeting between Kim Hill and Art Tamayo (LAAO).

It was restated that LANL would like to submit only the PTS and eventually drop the quarterly reports. NMED indicated that they would like to see a section in the PTS report after each field unit (FU) that indicates the corrective action status of each PRS (e.g., Phase I sampling complete).

Action Item: D. McInroy will follow-up on where the response to NMED February 6 letter is at and what can be done to enhance the PTS Format by next month's meeting.

Monthly Delivery of "Open ER Submittals": This list includes items in need of NMED review. NMED expressed concern that closed or completed items are not removed from the list, documents submitted to NMED which do not require review are listed, etc. NMED's April 21 letter identifies specific problems with the format.

Action Item: D. McInroy will provide a revised format for the Open ER Submittals Monthly document by the next monthly meeting.

V-Site NOD: HRMB requested the status on the TA-16, V-Site VCM NOD Response. LANL indicated that FU 3 is working on the response and LANL

intends to submit the response within the 30-day time frame specified in the NOD.

HRMB requested the status on the LANL extension request letter for various RFI Reports. LANL indicated that additional research is needed because some of the reports are "subreports or status reports" as they are addressing only one potential contaminant pathway (e.g., surface water, TA-54).

Action Item: D. McInroy will fax a proposed extension request as soon as information is available. This will be followed by a formal extension request letter from LANL.

K. Hill provided a draft letter addressing additional information needs that has been developed by the NMED LANL Working Group. The letter requests a great deal of specific information not readily available in any current LANL format. HRMB intends to use the information to establish NMED priority levels for each PRS and to enable HRMB to provide meaningful comments on the LANL Baseline. The type of information that will be requested, on a PRS-by-PRS basis, includes: PRS description; geographical location; depth to first ground water encountered; fracture density in PRS vicinity; state of waste; volume of waste; areal extent or volume of contamination, etc.

A brief discussion on how the pending information request would affect permit re-issuance and the 1998 identification of grant commitments occurred. The grant issue was ultimately resolved later in the meeting when S. Dinwiddie indicated that NMED and EPA would base next year's grant commitments on documents present (or in-house) at NMED by September 1, 1997. Future grant commitments can be better selected based on pending information request from NMED.

To address how all the information HRMB is requesting will be provided (e.g. data base format), a working group may be formed.

Agenda Item 1: Status of the LANL Accelerated Corrective Action Process

NMED requested clarification on how the document on accelerated corrective action was being implemented at LANL. The question was raised by NMED due to interactions with the DOU Core Team. J. Mose indicated that LANL was following the document as agreed to by NMED. Additionally, J. Mose stressed the fact that LANL was a smaller universe than the State of New Mexico and that some changes were inevitable due to the wider audience addressed in the DOU. He indicated that it was unlikely that LANL would formalize the process until the DOU Annex on this topic is completed.

NMED and LANL briefly discussed the fact that the accelerated corrective action process was originally intended to be added to the permit via a modification.

Agenda Item 3: Electronic Submittals

The need to provide electronic deliverables to NMED for RFI work plans, reports, etc. to assist in NMED in document review and preparation of comments was discussed. NMED indicated that they primarily use WordPerfect 5.0 but may soon upgrade to 6.0 and that they have the capacity to use many other software formats. Using electronic data submittals may decrease NMED's effort in preparing NODs, etc.

Action Item: D. McInroy will identify the types of software formats LANL can submit to NMED by next month's meeting.

Agenda Item 4: VCA Briefings

NMED indicated that, of the list of VCAs provided during last month's meeting, they need a briefing on the following 5: 14-010; 15-009(j); 18-006; 21-024(i); and 49-008(d). Due to the initiation date of April/May for 14-010, 15-009, and 49-008(d) a meeting to present these briefings is crucial.

Action Item: D. McInroy will contact the appropriate FUs and arrange a meeting to present the briefings to NMED as soon as possible.

Agenda Item 7: RFI Format

HRMB continues to review the RFI Format outline. After draft comments are prepared by HRMB, a meeting between NMED and ER will be conducted to ensure mutual concerns on the format are understood by both parties.

Agenda Item 5: BMPS/IMs

D. Wilburn provided draft comments on the BMP/IM draft paper LANL distributed during last month's meeting. D. Wilburn used a checklist created by EPA to conduct her review.

Action Item: LANL will provide comments or a revised BMP/IM procedure after reviewing NMED's comments. Target due date is by next month's meeting.

Agenda Item 6: Fiscal Year 1998 (FY98) Grant Commitments

The FY98 Grant commitments agenda item will remain current to provide monthly updates to NMED on LANL's planned activities.

LANL has no new information on FY98 work to add to the list provided during last month's meeting.

S. Dinwiddie indicated that NMED will select grant commitments for FY98 from documents "in-house" by September 1, 1997.

Agenda Item 8: Discussion on AA Work Plan Modifications

NMED indicated that they are still finalizing their procedures for commenting on RFI Reports based on EPA-approved work plans. NMED may consider changes to the work plan as an NMED-initiated permit modification.

S. Dinwiddie indicated that NMED is currently writing requirements for fee regulations, which include fees for reviewing RFI work plans and reports. When the fee regulations are agreed to within NMED, they will be distributed to regulated facilities for comment.

The sub-agenda item on routine construction in SWMUs was identified as not being addressed. NMED indicated that they responded to the June 1996 letter identifying how institutional interim measures will be conducted. NMED indicated that they responded to the letter.

Action Item: LANL will check all available resources and if they cannot find a copy of this letter, they will call S. Dinwiddie and request a copy be faxed.

The next meeting has been scheduled for June 17, 1997 at 1:00 p.m.