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**U. S. Department of Energy**  
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Date: September 18, 1997  
 Refer to: EM/ER:97-333

HSIDA LAILU G/11/197

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

**SUBJECT: MINUTES FOR JULY 15, 1997 MEETING WITH HRMB**

Dear Mr. Garcia:

Enclosed please find a copy of the meeting minutes pertaining to the meeting held in Santa Fe on July 15, 1997, between staff members of the Hazardous and Radioactive Materials Bureau and members from Los Alamos National Laboratory's Environmental Restoration Project.

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

Sincerely,

David McInroy, Compliance Manager  
 LANL/ER Project

Sincerely,

Joseph Mose, Compliance Manager  
 DOE/LAAO

DM/JM/rfr

Enclosure: July 15, 1997, Minutes for Monthly Meeting with HRMB



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Cy (w/ enc.):

J. Canepa, EM/ER, MS M992  
T. Glatzmaier, DDEES/ER, MS M992  
D. Griswold, AL-ERD, MS A906  
J. Jansen, EM/ER, MS M992  
B. Koch, LAAO, MS A316  
D. McInroy, 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  
RPF, MS M707  
EM/ER File, MS M992  
T. Davis, NMED-HRMB  
R. Dinwiddie, NMED-HRMB  
R. Ford-Schmid, NMED-OB  
J. Parker, NMED-HRMB  
J. Rogers, NMED-GWQB  
S. Zappe, NMED-HRMB  
B. Toth, NMED  
J. Young, NMED  
D. Wilburne, NMED

Cy (w/o enc.):

T. Baca, EM, MS J591  
G. Rael, DOE-AL, MS A906

## MEETING MINUTES

July 15, 1997

Attendees: NMED/HRMB Teri Davis; John Kieling, Barbara Toth\*, John Young\*, Diane Wilburne\*

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

\* Present during portions of the meeting

### **Agenda Item 1: Corrective Action Status for Each PRS**

Dave McInroy indicated that currently LANL cannot produce a database list identifying where each PRS is in the corrective action process. LANL can provide a list of where each SWMU is most recently presented, in a RFI Work Plan or Report. LANL intends to develop a mechanism or approach that will allow the ER Project Office database to talk with each field unit's baseline so that the corrective action status of each PRS can be captured. Funding is available to do this next fiscal year.

Joe Mose indicated that providing this information on a monthly basis may be overkill, as it would commonly not change significantly on a monthly basis.

This agenda item was then deferred until LANL can report on progress on this topic.

Diane Wilburne indicated that she is performing a QC check of HRMB's database against the LANL database to determine if NMED has received all the documents LANL indicates they have submitted.

### **Unnumbered Agenda Item: Information Request, Status**

NMED asked whether or not LANL had received their two recent information requests. LANL indicated that the information requests had been received. LANL finds the requests overwhelming and has concerns that LANL would develop a database and simply give it to HRMB. LANL agrees that the information requests direct LANL to create a more integrated and useable database. LANL does not believe the level of detail identified in the request is necessary for the schedule of compliance. LANL did a back-of-the-envelope calculation and determined that over 90,000 items are identified.

NMED indicated that they need this database to prioritize the work done at each SWMU. Currently, the only tool available to HRMB is the Site Ranking System (SRS) and they do not believe the approach used in the SRS adequately addressed surface water concerns.

LANL indicated that the prioritization of units may not be all that important because of the DOE 10-year mandate to have cleanup completed by 2006. NMED indicated that they have concerns with this DOE approach.

LANL indicated that high priority sites are in the baseline and NMED indicated their concern for LANL criteria for identifying high priority.

A brief discussion on the June 20 meeting developed as a side bar and Teri Davis indicated that she may write a correction to the meeting minutes DOE (??) prepared for that meeting. Davis agrees that many issues can be solved at the working level but others will have to be raised above the working group level. LANL agreed.

### Agenda Item 2: IMs and BMPs

LANL agreed to send HRMB a semi-annual list of BMPs installed for the previous six-month period.

HRMB clarified that they do not want or need to see plans for BMPs. They simply need to know what type of BMPs were constructed at which units.

LANL indicated that there is a gray area between BMPs and major interim measures. DOE no longer credits LANL when they perform a BMP or interim measure.

*In this DOE issue?*

HRMB raised the question concerning how they would know an interim measure was conducted at a site. Where is this information reported? If LANL pumped out a septic tank, how would NMED be aware that the tank was pumped? NMED would need the information on the analytical data for the waste removed to determine if the area around the tank had been adequately characterized and to determine if a release had occurred.

D. McInroy indicated that there is a wide variety in the level of complexity associated with each IM. One example would be an MDA where barrels were known to be in poor condition and LANL removed them rather than risk failure of the containers before complete action was taken. This activity may be an action contributing to the final remedy, but the final remedy may end up being a cover.

*? DOE why not inter-remediation?*

LANL indicated that they are still concerned about the NODs received on interim actions that LANL undertook on a voluntary basis. LANL agrees that HRMB may disagree with the actions but NODs are not warranted as the actions were not final remedies and the documents submitted are not regularly required. LANL agrees that final documents for PRSs are subject to NODs.

*Teri, need formal response - see attached letter -*

LANL does welcome HRMB's comments, but LANL feels they should be comments and not NODs. LANL believes that NODs would be warranted if NMED had directed LANL to conduct IMs at a site.

T. Davis indicated that NMED is concerned with actions taken at SWMUs. NMED wants to ensure that final documents can be approved and support an NFA proposal.

The lead shot cleanup was discussed as an example of where the plan read as if it were a final remedy. NMED is concerned that the action fits in with the final remedy and that the analytical data are rigorous enough to support all actions. NMED also indicated that they do not want to see the removal of hot spots as an interim action and then the information or data collected from the action omitted when final remedies or determinations are made for that site.

***Action Item: By next month's meeting, Teri Davis will provide clarification on NODs on information LANL has provided for information-only purposes, and whether a mechanism other than NODs can be used for providing comments to LANL.***



Joe Mose distributed a memo from DOE and EPA headquarters for informational purposes. The subject line states, "Final Guidance on Improving Communication to Achieve Collaborative Decision-Making at DOE Sites".

### **Agenda Item 3: Etc. List for Water Quality Information Requests**

D. McInroy indicated that LANL had received the faxed clarification of the "etc." identified in the surface and ground water information request. McInroy indicated concern that the list had been greatly expanded, and explained that much of the information will be included in a Canyons RFI Report that will be submitted in the near future. LANL raised the issue that they are being asked to provide the same information more than once. McInroy indicated that FIMAD is being worked on and that much of the information requested could be obtained through FIMAD.

NMED questioned when FIMAD would be fixed. LANL did not provide a date. NMED indicated that they may have identified having FIMAD data more accessible as an information need in their RFI Format review.

NMED sees the problem as this: LANL cannot provide data to the regulators due to data management problems. LANL disagreed with this statement. LANL indicated that analytical data can be retrieved from FIMAD but items identified on the "Etc. list" are not the type of information that one would put in FIMAD, such as copies of field books.

NMED indicated that LANL should maintain information on all boreholes in a database that could be easily queried. This data base should support the 3-D

hydrogeologic model. NMED suggested that funding be diverted to incorporate the 3-D model in FIMAD.

LANL will be submitting information by July 31 to address the information request. It is LANL's understanding that this information will be utilized in NMED's review of the Facility Ground Water Plan.

#### **Agenda Item 4: Use of Standards from Other Regulations**

LANL indicated that they understood that using standards from other regulations was acceptable for cleanup at SWMUs. This is also present in the DOU NFA criteria.

T. Davis indicated that it is HRMB's policy that whenever more than one regulation applies, the most stringent must be followed. T. Davis agreed that UST regulations are applicable if the SWMU was an UST that only managed fuel. If hazardous waste was also managed at the site, RCRA cleanup criteria would also be applicable.

more stringent  
or less stringent?  
OK

An example of where this approach breaks down is a location that has PCB-only contamination. Cleanup at such a site would refer to TSCA standards. The exception to this is how ecorisk concerns would be addressed at the site.

#### **Agenda Item 5: Monthly ER Submittal**

D. McInroy provided a revised format for the ER monthly submittal. ER will submit this format as the July submittal.

***Action Item: NMED will provide comments on the revised format during the next monthly meeting.***

#### **Agenda Item 6: TA-18 Septic Tanks**

Pat Shanley described the next actions LANL intends to take at the TA-18 septic tanks. LANL will steam-clean the tanks, collect a representative sample of the concrete, and, based on concrete sample results, plug the inflow and outflow and fill the tank with sand or flowcrete. NMED concurred with this approach.

#### **Agenda Item 7: Etc. List for Water Quality Information Request**

(Moved — see Item 3.)

#### **Agenda Item 8: Identification of Permit Language**

This item was deferred.

## Agenda Item 9: Heads Up on What's Coming

J. Kieling indicated that the recent "Steam Team" had worked with OB and HRMB staff and reviewed 14 documents. John provided a list of 12 of those documents (see attached) which resulted in the preparation of NODs. The NODs are two to four pages in length and address clear-cut issues.

D. McInroy raised the issue that Ed Kelley has told LANL Management that NODs would not be sent to LANL until a meeting had occurred.

**Action Item: Teri Davis will discuss this issue with Ed Kelly to determine if these NODs will be submitted prior to a meeting being conducted.**

## Agenda Item 10: Field Sampling Notifications

NMED indicated that they want the document that explains the sampling that will be conducted to be identified in the 10-day sampling notifications.

**Action Item: LANL will revise the information provided in sampling notifications to identify in what document (e.g. RFI Work Plan) the sampling is described.**

## Agenda Item 11: EC Plans Status

NMED asked what the status was for Expedited Cleanup plans for being withdrawn and resubmitted as VCAs or VCMs.

**Action Item: LANL will submit a letter withdrawing the EC plans. LANL will provide a fact sheet for each of the proposed VCAs.**

## Topics Not On the Agenda

NMED requested the status of getting Q clearances for some of their staff. J. Mose indicated that Q clearances are now very difficult to get and DOE is allowing very few of them to be issued. Mose did not think NMED's request could be granted in the next year or two.

NMED requested a copy of the baseline as EPA has received one. J. Mose indicated that the baseline is currently undergoing in-house review and was surprised to hear EPA had a copy. Further discussion revealed that EPA most likely has a copy of the 10-year plan.

The next meeting is tentatively scheduled for August 12, 1997 at 1:30.