



**U.S. Department of Energy**  
Los Alamos Area Office, MS A316  
Environmental Restoration Program  
Los Alamos, New Mexico 87544  
505-667-7203/FAX 505-665-4504

Date: June 15, 1999  
Refer to: EM/ER:99-127



HSWA LANL 6/P '99

Mr. John Keiling  
NMED-HRMB  
P.O. Box 26110  
Santa Fe, NM 87502

**SUBJECT: OPEN ACTION ITEM RESOLUTION**

Dear Mr. Keiling:

The purpose of this letter is to confirm in writing the agreement that was reached on May 4, 1999 between representatives of the Los Alamos National Laboratory's (LANL) Environmental Restoration (ER) Project and the New Mexico Environment Department Hazardous and Radioactive Materials Bureau (HRMB) concerning open action items identified in Enclosure A. An earlier iteration of Enclosure A was used during our joint review of open action items found in ER Project and HRMB documentation and databases. This review endeavored to address all open action items except those specifically set out in the Work Schedule of Module VIII of the LANL Hazardous Waste Facility Permit. The types of action items can be divided into two categories.

- 1) **Category 1** - This category generally includes additional actions associated with specific Potential Release Sites (PRS). These additional actions may include Resource Conservation and Recovery Act (RCRA) related activities to substantiate a No Further Action (NFA) determination for that site or other specific actions associated with PRSs which have previously been submitted for or received NFA approval. This category also includes open action items which have been overtaken by subsequent events and which are no longer applicable or appropriate. The technical nature of these action items most commonly involves issues such as nature and extent of contamination, multiple chemical evaluation, ecorisk evaluation, sampling, and sample analysis plans, and adequacy of records or interview documentation.

Because of the age and nature of these action items, the ER Project and the HRMB agree to return these pending items back into the broad category of remaining ER Project work. These items are no longer considered open action items and will not be addressed individually. The HRMB and the ER Project agree that any future ER Project work associated with these PRSs will consist of work rolled into the requirements of the RCRA Corrective Action process. Work associated with these PRSs will be prioritized within the ER Project's Watershed/Aggregation approach.

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2. **Category 2** - This category includes PRSs which require additional RCRA Corrective Action activities to substantiate an NFA determination for that site. This category also includes sites involving best management practices (BMPs) and storm water pollution prevention plan controls.

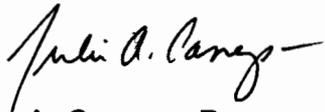
Because documents associated with these PRSs were recently generated, and due to the particular nature of these action items, the ER Project and the HRMB agree that these items shall be retained as open action items. These items shall be deliverable on the date outlined in the document creating the action item or in subsequent modifications to that document.

The "Resolution" column in Enclosure A reflects the category jointly agreed to and assigned by HRMB and the ER Project to action items during our meeting. As we agreed, those actions items listed as "Category 1" are no longer considered open action items and will be removed from the tracking systems at both HRMB and the ER Project. Those action items classified as "Category 2" will remain open action items.

Extensive efforts to accurately assess open or pending action items have been taken by both NMED and LANL representatives. As we discussed and agreed upon, both the ER Project and HRMB believe that Enclosure A reflects an accurate compilation of all open or pending items, with the exception of obligations specifically set out in the Work Schedule associated with Module VIII of the LANL Hazardous Waste Facility Permit. Although it is unlikely, should the listing in the Enclosure A be determined to be incomplete, the ER Project and HRMB agree that any prior existing action item outside the Work Schedule will be categorized as a Category 1 item.

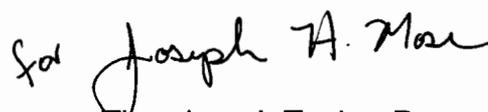
The ER Project appreciates the time and effort of HRMB in evaluating and working with us to resolve these items. If you have any questions or concerns please feel free to call Dave McInroy at (505) 667-0819 or Joe Mose at (505) 667-5808.

Sincerely,



Julie A. Canepa, Program Manager  
LANL/ER Project

Sincerely,



Theodore J. Taylor, Program Manager  
DOE/LAAO

JC/TT/MK/TG/em

Enclosure A: Open Action Items

Cy (w/enc.):

J. Bearzi, NMED-HRMB  
M. Buksa, EM/ER, MS M992  
T. Taylor, LAAO, MS A316  
J. Mose, LAAO, MS A316  
S. Yanicak, NMED-DOE OB, MS J993  
EM/ER (CT# C), MS M992  
RPF, MS M707

Cy (w/o enc.):

J. Canepa, EM/ER, MS M992

T. George, EM/ER, MS M992

M. Kirsch, EM/ER, MS M992

D. McInroy, EM/ER, MS M992

EM/ER File, MS M992

Tracker RM 604, MS M992

## Enclosure A

PRS	Action	Due Date	Driver	Driver Date	EM/ER Number	Resolution
<b>TA-0</b>						
00-004, 00-010(b), 00-030(b), 00-033(b)	Revise and Resubmit Rejected RFI Report	No Date	Rejection Letter from NMED to LANL	12/8/97	NMED-01	Category 1
00-028(a,b)	Resampling of site to be renegotiated with NMED	No Date	NOD Response, LANL Letter to NMED	2/2/97	97-436	Category 1
00-030(l), 00-030(m), 00-033(a)	SAP to address NMED NOD	9/1/01	NOD Response, LANL Letter to NMED	8/25/98	98-299	Category 1
<b>TA-1</b>						
01-001(a,e,m,o), 1-003(a,d,e), 1-006(e,o), 1-007(d,j,e)	Surface/Subsurface resampling at 01-003(a), 01-003(e)	No Date	RSI Response, LANL Letter to NMED	12/19/97	97-487	Category 1
01-001(d), 01-006(h)	Ecorisk Evaluation	No Date	NOD Response, LANL Letter to NMED	2/23/96	96-070	Category 1
01-001(t), 01-002, 01-007(k)	Revise and Resubmit RFI Report	No Date	RFI Report Rejection, NMED Letter to LANL	11/18/97	NMED-11	Category 1
01-003(d)	Ecorisk Evaluation Resolution of Extent Issues	No Date	RSI Response, LANL Letter to NMED	12/9/97	97-485	Category 1
<b>TA-3</b>						
03-004(c), 03-004(d), 03-007, 03-014(k), 03-014(l), 03-014(o), 03-021, 03-049(a), 03-052(b), 03-056(k), C-03-014	Ecorisk Evaluation	No Date	RSI Response, LANL Letter to NMED	8/6/98	98-258	Category 1
03-009(i)	Develop SAP and conduct confirmatory sampling, no date provided	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
03-009(j)	Develop SAP and conduct confirmatory sampling, no date provided	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
03-045(h)	Conduct RFI, no date	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
03-054(a)	Conduct VCA to remove drain line	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
03-054(d)	Conduct VCA to remove drain line	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
03-055(a)	Plug drain line/floor drain in Room 68 of TA-3-16 before commencing future ops.	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
<b>TA-8</b>						
08-004(d), 08-009(d,e), 09-001(a,b,d), 09-003(g-i), 09-005(a,d), 09-009, C-08-010	Bound Extent at 08-009(d)	No Date	RSI Response, LANL Letter to NMED	1/12/98	98-013	Category 1
<b>TA-9</b>						

## Enclosure A

PRS	Action	Due Date	Driver	Driver Date	EM/ER Number	Resolution
09-005(g)	Provide results from additional interviews and record searches to NMED	4/4/97	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
09-010(a,b), C-0-036(a-d)	Revise/Resubmit rejected VCA Completion Report	No Date	Rejection of VCA Completion Report, Letter from NMED	5/26/98	NMED-15	Category 1
<b>TA-10</b>						
10-001(a-d)	Statistical or Grid-based Phase II SAP	No Date	Request for Additional Work, Letter from NMED to LANL	9/11/97	NMED-10	Category 1
<b>TA-12</b>						
12-001(a)	SAP to address VCA Completion Report NOD due 1/31/99, also include VCA plan for 12-001(b). Revised VCA Report by 11/30/99.	1/31/1999 [SAP] 11/30/99 [VCA Report]	NOD /Request for Extension Approval from NMED	8/21/98	NMED-13	Category 1
12-001(a,b), 12-004(a,b), 14-001(a-g), 14-002(a-f), 14-003, 14-004(a-c), 14-005, 14-006, 14-007, 14-009, 14-010, C-12-001, C-12-002, C-12-003, C-12-004, C-12-005, C-14-001, C-14-002, C-14-003, C-14-004, C-14-005, C-14-006, C-14-007, C-14-008, C-14-009	*SWPPP Controls to be installed at 14-009 by 1/97 **VCA to be conducted at 14-009 by 12/98 *** VCA Report Submittal for 14-003	*1/30/97 **12/30/98 ***No Date	Response to NOD, LANL Letter to NMED	10/15/96	96-539	Category 1
12-002	To be investigated and remediated as part of 12-001(b)	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
<b>TA-15</b>						
15-001, 15-002, 15-004(g,h), 15-005(b,c), 15-006(c,d), 15-007(a), 15-008(c,g), 15-009(a,f,i,k), 15-010(a-c), 15-011(a-c), 15-012(a), 15-014(a-l), C-15-001, C-15-005, C-15-006, C-15-007, C-15-010, C-15-011	Revise Denied RFI Report and Phase II SAP	3/31/99	Request for Withdrawal for TA 15 RFI and NOD, Letter from NMED	10/15/98	NMED-14	Category 1
15-004(a-d), 15-004(f), 15-007(b), 15-008(a,b), 15-009(e,j), 15-012(b), C-15-004	Additional Sampling at 15-004(a-d), 15-004(f), 15-007(b), 15-008(a,b), 15-009(e), 15-012(b), C-15-014; VCA Reports are to address both surface water and ecological concerns.	No Date	Response to Conditional Approval Upon Modification of TA-15 RFI Report, LANL Letter to NMED	6/1/98	98-172	Category 1
15-004(i)	Will search for test location this spring 1998 TA-15 (R-Site)	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
15-007(c), 15-008(a), 15-004(f)	Interim Action Completion Reports	No Date	Response to NOD for IA Plans for TA-15	9/12/97	97-373	Category 1
15-007(d)	Will conduct further record searches and interviews and will supply to NMED	4/4/97	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1

## Enclosure A

PRS	Action	Due Date	Driver	Driver Date	EM/ER Number	Resolution
15-009(b)	LANL will sample the tank	FY 97	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
15-009(c)	LANL will sample the tank	FY 97	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
15-009(h)	LANL will sample the tank	FY 97	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
<b>TA-16</b>						
16-021(c)	Submit Revised/Rebaselined Schedule	No Date	Response to RSI, LANL Letter to NMED	4/21/99	NMED Meeting 5/3/99	Category 1
16-021(c)	CMS Progress Report	Quarterly	Section R, CMS Reporting Requirements	Ongoing	NMED-08	Category 2
<b>TA-18</b>						
18-002(a-c), 18-003(a-h), 18-004(a,b), 18-005(a), 18-008, 18-010(b-f), 18-011, 18-012(a-c), 18-013, 27-002, PCO Wells, LACEF Wells, Wetlands	Resample 18-002(a-c) and 27-002	No Date	NOD response, LANL Letter to NMED	5/2/97	97-145	Category 1
18-007	Submit new report from electromagnetic survey done on 10/27/97	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
<b>TA-19</b>						
19-001, 19-003, C-19-001	Phase II RFI Sampling and Report	9/30/00	NOD /Request for Extension Approval from NMED	8/21/98	NMED-05	Category 1
<b>TA-20</b>						
20-001(a-c), 20-002(a-d), 20-003(b,c), 20-004, 20-005, 72-001, 53-001(a,b,e,g), 53-005, 53-008, 53-010, 53-012(e)	*Continuation of Phase I sampling at 20-001(c) and 53-005 **20-002(d) VCA ***53-008 VCA	*No Date **FY 98 ***FY 98	Response to RSI	4/22/97	97-125	Category 1
<b>TA-21</b>						
21-006(c,d,e,f), 21-022(c,d),21-023(a,b,d), 21-028(c)	SAPs	FY 97	Response to NOD, LANL Letter to NMED	3/25/96	96-121	Category 1
21-013(c-e), 31-001	*Revised RFI Report **Ecorisk Evaluation	*9/1/2000 **No Date	Response to RSI	11/14/98	97-481	Category 1
21-018(a)	*Ecorisk Evaluation **Report on deep drilling and hydrological assessments of DP Mesa	*No Date **9/30/97	Response to NOD, LANL Letter to NMED	8/1/97	97-295	Category 1
21-018(b)	Submittal of schedule for fieldwork and reporting	*No Date **9/30/97	Response to NOD, LANL Letter to NMED	8/2/96	96-422	Category 1
21-024(d)	Additional sampling of septic tank inlet line	No Date	Response to RSI, LANL Letter to NMED	10/30/97	97-437	Category 1

## Enclosure A

PRS	Action	Due Date	Driver	Driver Date	EM/ER Number	Resolution
21-024(b,e)	Radiological Risk Assessment	No Date	Response to NOD, LANL Letter to NMED	4/14/95	95-141	Category 1
21-024(i)	*VCA Plan **IA Completion Report Submittal	*FY 99 **No Date	Response to RSI, LANL Letter to NMED	7/31/98	98-254	Category 1
21-024(c,i), 21-027(a)	*RFI Report for 21-024(c) **VCA Report for 21-024(i) ***RFI Report for 21-027(a)	*10/1/06 **3/30/98 ***10/4/99	Response to RSI, LANL Letter to NMED	11/14/97	97-482	Category 1
<b>TA-22</b>						
22-011	To be investigated along with 22-015(d)	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
22-012, 22-015(a,b,d,e)	SAP and revised RFI Report	3/31/99	Request for Withdrawal for TA 22 RFI Report	11/23/98	NMED-02	Category 1
<b>TA-27</b>						
27-001	Submit new report from electromagnetic survey done on 10/27/97	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
27-003	Submit all analytical results	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
<b>TA-31</b>						
31-001, 21-013(c,d,e)	*SAP to address contamination under septic tank and at outfall. **Human health and Ecological Risk to be addressed	9/1/00	Response to RSI	11/14/97	97-481	Category 1
<b>TA-33</b>						
33-002(a-e)	Completion Report for 33-002(a) Ecological Risk Evaluation	No Date	Response to RSI	12/10/97	97-524	Category 1
33-004(d,g,h,i), 33-005(a-c), 33-007(c), 33-010(e,f), 33-011(a,e), 33-012(a), 33-015	Sample 33-004(g), 33-010(f), 33-011(e)	FY 99	Response to RSI and Request for Additional Work for the RFI Report at TA 33	11/14/97	97-477	Category 1
33-008(c)	VCA	FY 99	Response to SAP NOD	3/27/97	97-075R	Category 1
<b>TA-35</b>						
35-003(d-g,l,m,o,q,r) and 35-016(g,h)	RFI Report	6/6/96	1996 Submittal Schedule			Category 1
35-003(j,k), 35-004(b), 35-008, 35-009(a-d), 35-014(a,b,d,e1,e2,f), 35-015(b), 35-016(e-i)	* Submit an RFI Report for PRSs being recommended for NFA ** SAP for PRSs 35-014(e2) and 35-016(i) *** SAP submittal for 35-008 and 35-014(e1) **** Submit RFI Report for 35-003(d-g,l,m,o,q,r)	*9/30/98 **No Date ***No Date ****9/30/98	Response to NOD	12/5/1997, LANL Letter to NMED	97-515	Category 1

## Enclosure A

PRS	Action	Due Date	Driver	Driver Date	EM/ER Number	Resolution
35-003(p)	RFI to be submitted	3/98	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
35-011(a)	Sampling to begin 4/97	4/1/97	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
35-013(a), 35-013(b)	Will be investigated further as part of the decommissioning of TA-35-2	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
35-016(a,c,d,m,p), C-35-007	RFI Report	9/6/96	1996 Submittal Schedule			Category 1
<b>TA-36</b>						
36-001, 36-004(d), 36-006	Phase II SAP	11/30/99	NOD /Request for Extension Approval from NMED	8/21/98	NMED-03	Category 1
36-002	Review data to confirm nature/extent or redo RFI	No Date	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1
36-003(b)	Revise PCT Policy	No Date	Response to RSI, LANL Letter to NMED	12/5/97	97-512	Category 1
36-003(a,b), 36-005, C-36-003	*Ecorisk Evaluation **Phase II SAP for C-36-003	*No Date **FY 98	Response to RSI, LANL Letter to NMED	11/14/97	97-474	Category 1
<b>TA-39</b>						
39-001(a,b), 39-004(a-e), 39-008	Resubmission of RFI Report	11/30/99	NOD /Request for Extension Approval from NMED	8/21/98	NMED-03	Category 1
39-002(a-f), 39-005, 39-006(a), 39-007(a,d)	*Ecorisk Evaluation **Phase II SAP/VCA's for 39-002(b) and 39-006(a)	*No Date **FY 98	Response to RSI, LANL Letter to NMED	11/14/97	97-488	Category 1
39-008	Add Debris Mound to HSWA Permit	No Date	Response to NOD on RFI Workplan, LANL letter to EPA	4/28/97	97-444	Category 2
<b>TA-42</b>						
42-001(a-c), 42-002(a,b), 42-003	Resubmission of RFI Report	9/30/00	Extension Approval from NMED	8/21/98	NMED-03	Category 1
<b>TA-45</b>						
45-001, 45-002, 45-003, 45-004, C-45-001, 01-002	Ecorisk Evaluation	No Date	RSI Response	3/1/96	96-087	Category 1
<b>TA-48</b>						
48-001, 48-002(e), 48-003, 48-005, 48-007(a-d,f), 48-010	Ecorisk Evaluation	No Date	Response to RSI, LANL Letter to NMED	10/17/96	96-433	Category 1
<b>TA-49</b>						

## Enclosure A

PRS	Action	Due Date	Driver	Driver Date	EM/ER Number	Resolution
49-001(b-d), 49-001(g)	*As-built certification reports **Monitoring (moisture) of surface soil and soil/tuff interface ***Quarterly monitoring in all monitoring wells ****Monitoring of site conditions during storm events	*8/31/99 **Report Quarterly ***Report Quarterly ****As Appropriate	Response to NOD-LANL Letter to NMED indicated 3/30/99 due date, Oral modification to due date (Keiling - Daymon Meeting 4/16/99), modification memorialized in Planned FY99 LANL Work Narrative (4/27/99)	12/21/98  4/16/99	98-481	Category 2
<b>TA-50</b>						
50-004(a,c), 50-011(a)	*Ecorisk Evaluation **Additional Drilling at TA-50-1	*No Date **FY 99	Response to RSI, LANL Letter to NMED	6/13/97	97-227	Category 1
50-006(a,c), 50-008	Further characterization of Ten Site Canyon	No Date	Response to RSI, LANL Letter to NMED	2/11/97	97-012	Category 1
<b>TA-54</b>						
54-007(b), 54-015(h)	Will conduct further record searches and interviews and will supply to NMED	4/4/97	Class III Permit Modification NOD response, LANL Letter to NMED	10/30/97	97-444	Category 1