

ENTERED



Attorney General of New Mexico

for Carl

PATRICIA A. MADRID
Attorney General

STUART M. BLUESTONE
Deputy Attorney General

April 25, 2001

James Bearzi, Bureau Chief
Hazardous Waste Bureau
New Mexico Environment Department
2044 Galisteo Street
P.O. Box 26110
Santa Fe, NM 87502



Dear James:

We have reviewed the letter dated March 30, 2001 from Julie Canepa of Los Alamos National Laboratory (LANL) and Ted Taylor of the U.S. Department of Energy (DOE) to John Young of the Environment Department (NMED), enclosing a proposed LANL Environmental Restoration (ER) work schedule for federal Fiscal Years 2001-05 as an amendment to the Installation Workplan (IWP). We have the following comments on the LANL-DOE proposal. We understand that NMED will send a letter concurring in or suggesting changes in the schedule, and we suggest that you include these comments in making that response.

First, we are concerned at the failure to mention any field activities. Without going into detail, we suggest that field sampling at any location now scheduled, and any corrective measures, be incorporated in the schedule.

Furthermore, work under the Hydrogeologic Workplan is central to environmental restoration at Los Alamos. The drilling and completion of boreholes scheduled for FY



72

HW A LANL G/P/01

2002 should be included in the schedule as well as well reports for any wells on which such reports have not been published.

In addition, Sampling and Analysis Plans (SAPs) should also be scheduled in the IWP amendment. The FY 1999-2003 and FY 2000-2004 IWP amendments had the following SAPs listed; we suggest that all that are incomplete should likewise be listed in the new document as well as any others that will reasonably fall due in FY 2001-05:

- TA-53, underground tanks
- TA-0, hospital waste lines
- TA-21, soil contamination area
- TA-21, container storage, septic system
- TA-21, MDA B
- TA-21, MDA T
- TA-21, MDA V
- TA-22, misc. sites
- TA-35, misc. sites (integrated SAP)
- TA-15, misc. sites
- TA-26, misc. sites
- TA-50, misc. sites
- TA-00, mortar impact areas
- TA-3, 48, 50, 60, integrated SAP
- TA-4, 52, integrated SAP
- TA-3, 32, 41, 43, integrated SAP
- TA-5, integrated SAP
- TA-46, integrated SAP
- TA-4, 5, 52, 63, integrated SAP
- TA-42, 55, integrated SAP

Next, RCRA Facility Investigation (RFI) reports are critical documents and are scheduled in the original HSWA module. Thus, the FY 2001-05 schedule should specify the due dates for RFI reports, to the extent not yet filed. These reports include, we believe:

- TA-21, MDAs B, U (also A, T?)
- TA-11, misc. sites
- TA-54, MDAs G, L
- TA-49, MDA AB shafts
- TA-50, MDA C

TA-53 impoundments
TA-15 detonation ground
TA-20 landfill
TA-21, MDA V
TA-5 firing site
TA-4 firing site
TA-15, MDA N
TA-16, 260 outfall

Corrective Measures Study Plans and Reports are also scheduled in the HSWA module and, we suggest, should be scheduled in the IWP amendment, including CMS plans and reports for:

TA-54, MDA G disposal areas (pits, shafts, trenches, storage areas)
TA-16, 260 outfall
TA-54, MDA H
TA-54, MDA L
Other potential release sites, such as MDAs in TA-21, MDA C

The Canyons Core Document (April 1997) states that “[a] projected RFI/corrective measures study (CMS) schedule for the RFI/CMS process for the canyons systems, through the completion of the final CMS report, will be published in a revision of the IWP.” (at I-4, I-5). Thus, the IWP schedule should include the schedule for the canyons investigations. Canyons Work Plans were previously scheduled in the Work Schedule for FY 1999-2003 and should be incorporated in the new schedule. Moreover, the IWP schedule should include work through the completion of CMS reports. These include plans for:

Mortandad Canyon
Pajarito, Twomile, and Threemile Canyons
Cañon de Valle
Water Canyon
Indio Canyon
Ancho Canyon
Chaquehui Canyon
Sandia Canyon
Cañada del Buey

Guaje Canyon
Rendija Canyon
Barrancas Canyon
Bayo Canyon
Potrillo Canyon
Fence Canyon

We are not in a position to state the specific reports and dates that should appear in the IWP amendment; however, we consider it important from the standpoint of the State's interest in maintaining the pace of ER at LANL that specific dates and activities be contained in the document to a far greater extent than the proposal offered by DOE and LANL. Specifically, we believe individual PRS sites should have specific dates when final cleanup is to be accomplished as well as intermediate dates, as discussed above. Failure to meet those dates should have a built-in penalty structure. We look forward to discussing these matters with you over the next few days. In any event, we wish to discuss these matters before a letter goes from your office to DOE.

Very truly yours,



LINDSAY A. LOVEJOY, JR.
Assistant Attorney General

LALJr:lajr