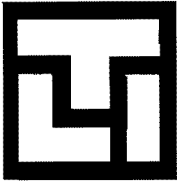


General

John K.

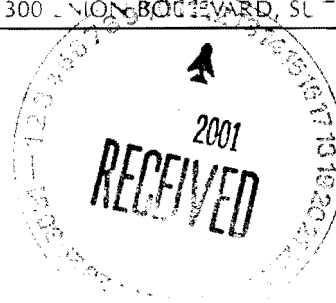


ENTERED

300 UNION BOULEVARD, SUITE 600, LAKEWOOD, CO 80228

PHONE: (303) 763-7188
FAX: (303) 763-4896

TECHLAW INC.



December 11, 2001

Mr. James Bearzi
State of New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East
Building One
Santa Fe, New Mexico 87505-6303

Reference: Work Assignment No. Y513, (6082.600.0001; State of New Mexico Environment Department, Santa Fe, New Mexico; General Permit Support Contract; Review of NMED-HSW Corrective Action Order for the Los Alamos National Laboratory, Work Plan, Revision 3

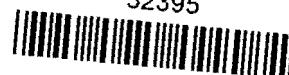
Dear Mr. Bearzi:

Enclosed please find revision 3 of the Work Plan for the assistance to the New Mexico Environment Department (NMED) Hazardous Waste Bureau (HWB) in drafting the Corrective Action Order for the Los Alamos National Laboratory (LANL). The revised work plan incorporates both the November 19, 2001 amendment to this work plan and the NMED's decisions from the November 28th - 29th, 2001 meeting at Hazardous Waste Bureau Office.

The work plan revision includes more direct participation of Ms. Robinson in assisting NMED in drafting a Corrective Action Order, and evaluation of the draft Technical Order by both a technical staff person and Ms. Robinson. The work plan has also been revised to include legal research on corrective action issues and the appeal of those issues. We have also included a general technical assistance, review, and QA/QC task as requested by Carl Will.

One additional trip for Ms. Robinson to Santa Fe, New Mexico has been incorporated into this work plan. This trip would be in addition to the November 28-29, 2001 trip for Ms. Draith and Ms. Robinson addressed in the November 19, 2001 amendment.

32395



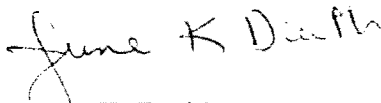
Mr. James Bearzi
December 11, 2001
Page 2

In addition, hours for **Mike Smith and Rick Kulthau** to perform the modeling task (9) have been included. This task was previously identified but no hours had been assigned since the task had not began. However, TechLaw is presently working on the task, as directed by Mr. John Young of NMED.

This revision increases the cost of this work plan from approximately \$95,737 to \$165,291 or an increase of \$68,554.

If you have any questions, please feel free to contact me at (503) 712-3704.

Sincerely,



June K. Dreith
Program Manager

Enclosure

cc: Mr. Carl Will, NMED, HWB
Ms. Pam Allen NMED, HWB
Mr. John Kieling, NMED, HWB
Ms. Cindy Abeyta, NMED, HWB
Mr. David Cobrain, NMED, HWB

Mr. John Young, NMED, HWB
Ms. Paige Walton, TechLaw
Mr. B. Jordan, TechLaw Central Files
Ms. Charlotte Robinson, Esq.

WORK PLAN, Revision 3

REVIEW OF THE NMED-HWB CORRECTIVE ACTION ORDER FOR THE LANL

Submitted by:

**TechLaw, Inc.
300 Union Boulevard, Suite 600
Lakewood, CO 80228**

Submitted to:

**Mr. James P. Bearzi
State of New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East
Building One
Santa Fe, New Mexico 87505**

In response to:

Work Assignment No. Y513

December, 2001

WORK TO BE PERFORMED

TechLaw, Inc. (TechLaw) will assist the New Mexico Environment Department Hazardous Waste Branch (NMED HWB) with the Corrective Action Section of the RCRA permit renewal for the Los Alamos National Laboratory (LANL). TechLaw understands that the focus of the corrective action section of the permit is not to specify remedial actions, but rather requests additional characterization data where necessary so that the NMED HWB can ascertain whether remedial actions will be required. TechLaw will review existing information (e.g., RFIs, Work Plans and other pertinent documents) on an area-specific basis. Using this information, TechLaw will review the corrective action chapter of the permit to ascertain whether they are in agreement with the additional informational requests made by the NMED HWB. The final goal of the HWB is to determine whether remedial action is or is not warranted at each area. TechLaw will also research the different options for well construction and well drilling and discuss which of the techniques are applicable for use at LANL. TechLaw will provide research on methodologies that may be applied in assessing the condition of the two plutonium tubes at MDA-W, and will include how risks may be determined should a failure of the tube encasement occur. Remedial options for the MDA-W tubes will be presented. TechLaw will also review LANL Standard Operating Procedures (SOPs) to determine adequacy. Qualified personnel from TechLaw will include a geologist/hydrogeologist, a corrective action specialist, and a human health and ecological risk assessor.

TechLaw will also assist NMED in the review of the draft technical order, once that has been accomplished the legal team of Ms. Robinson and Ms. Wrend will assist NMED in preparing the first draft of the corrective action order. This order will be incorporate the technical issues, as necessary the draft order will follow the format specified by Mr. Charlie Saillan, of the New Mexico General Counsel. Mr. Saillan has committed to providing this model order to Ms. Robinson. Ms. Robinson will modify the draft order she prepares according to the comments received.

SUBCONTRACT

Ms. Charlotte Robinson, Esq. and Ms. Julie Wrend, Esq. These individuals will be utilized for legal support.

PRIMARY INTENDED USE

The purpose of this work assignment is to provide technical support to the NMED HWB in their preparation of the corrective action sections of the RCRA permit renewal for the LANL. The corrective action chapter will include three broad categories: 1) the regional aquifer; 2) individual canyons and watershed; and 3) individual Technical Areas (TAs), Solid Waste Management Units (SWMUs), and/or Areas of Concern (AOCs) otherwise not covered. TechLaw will review background documents and other relevant background information. Based upon the existing information from the background documents, TechLaw will assess the characterization requires set forth by the HWB to determine if the requires are adequate and justified to determine both present and future risk to human health and the environment. TechLaw will also perform a technical review of the HWB's requirements for additional investigation and remediation to determine

whether the remedial action as required by the HWB is adequate and justified. In cases where the HWB is not requiring remedial action, TechLaw will review the criteria to determine if remedial action should be required due to a potential threat to human health or the environment. It is understood that the risk assessment (human and ecological) will be a qualitative assessment only. The NMED will make all final determinations regarding the corrective action permit section.

Also, provide additional support in the evaluation, review and preparation of the corrective action order and other technical and legal work as directed by NMED.

PROJECTS AND TASKS

- Task 1 - Provide management oversight for the project, which will include availability of the TechLaw Program Manager and TechLaw Project Manager to NMED. Conference calls, project tracking and performance evaluation, and monthly reports are included in this task.
- Task 2 - Background document familiarization and preparation for technical reviews. Approximately 40 documents, one for each high-priority site.
- Task 3 - Perform technical review of the corrective action sections of the RCRA permit renewal for the LANL and preparation of a Technical Review Document. Will also include review of remedial options for alluvial groundwater systems in the canyons and all alluvial and surface water bodies within the canyon watersheds.
- Task 4 - Participate in meetings and conference calls.
- Task 5 - Perform quality control review on draft deliverables.
- Task 6 - All clerical assistance, including document copying and filing.
- Task 7 - Research applicable drilling and well construction techniques for use on the plateaus at LANL and related LANL Standard Operating Procedures (SOPs). Includes a one-day site visit.
- Task 8 - Research monitoring methods for the two coolant tubes at MDA-W, determine how risks may be estimated in the event of tube failure, and potential remedial options.
- Task 9 - Provide assistance in reviewing the applicability and input parameters to the Finite Element Heat and Mass Transfer Code.
- Task 10 - Review LANL Standard Operating Procedures (SOPs) and other non-investigative requirements.

- Task 11 - Performs technical and legal review of the corrective action order, which addresses technical issues. Provide any comments on that review to Mr. Bearzi and Mr. Saillan.
- Task 12 - Provide assistance to NMED by preparing the first **draft** of the corrective action order. **Modify** as necessary to address NMED comments and concerns.
- Task 13 - Provide general legal assistance in the drafting and reviewing associated documents, or procedures and strategies for issuance of the order (i.e. order, compliance, in State/Federal court etc.) Provide legal research on issue relevant to the corrective action order.
- Task 14 - Provide general technical support on the issuance of the corrective action order, including assistance in drafting the order, QA/QC reviews, and technical research.

PROGRESS REPORTS

Information regarding the status of this project will be included in monthly progress reports prepared by TechLaw, Inc. The reports will be a brief summary of project status, to include:

- Work completed to date.
- Difficulties encountered and remedial action taken.
- Anticipated activity during the subsequent reporting period.
- Funding status, and
- Issues/topics that have arisen.

QUALITY CONTROL PLAN

The TechLaw Project Manager will review all deliverables prior to provision to the NMED to ensure product quality. In addition, each deliverable will undergo independent QA/QC so that the highest quality deliverable is provided to NMED. The Project Manager will also conduct milestone checks on each task outlined in the SOW and all other activities to ensure that the project is proceeding as scheduled. The Project Manager will be in constant communication with NMED to ensure task accomplishment.

STAFFING AND MANAGEMENT

Ms. June Dreith is the TechLaw Program Manager for the State of New Mexico general permit support contract. Ms. Dreith is an environmental specialist with 20 years professional experience, including management of permit applications reviews and other projects.

Ms. Paige Walton will serve as the Project Manager/Work Assignment Manager and as Technical Lead. Ms. Walton is an environmental scientist with over nine years experience in risk dose assessments, RCRA corrective action, permitting, geology/hydrology and radiological

decontamination and decommissioning. Ms. Walton is well qualified to provide technical assistance to the NMED HWB.

Mr. Jim Ashworth is a geologist/hydrogeologist with extensive experience in reviewing geologic and hydrogeologic sections of RFIs, Corrective Measure Studies, Corrective Measures Implementations and Part B permits.

Mr. Bret Kendrick is a corrective action specialist and geologist with experience in mixed waste. He has reviewed RCRA RFIs, Corrective Measure Studies and Corrective Measures Implementation Plans.

Dr. Rick Kulthau is a hydrologist whose professional experience includes review of groundwater modeling, corrective actions and working with modeling codes, including Monte Carlo simulations and finite element codes.

Mr. Michael Smith is an environmental engineer and researcher with over 19 years of experience. He has worked with fate and transport codes, air dispersion modeling, and has expertise in RCRA permitting requirements.

Ms. Robin Blackburn is an ecological risk assessor with extensive experience in RCRA and CERCLA risk assessments. She was involved with preparing and with Quality Control for the Risk Assessment Guidance document prepared for NMED. Ms. Blackburn has over 10 years of experience in reviewing and preparing risk assessments.

Mr. Rob Young is a hydrogeologist with extensive experience in evaluating hydrology, corrective action and corrective action monitoring. He has reviewed RCRA RFIs, Corrective Measure Studies and Corrective Measures Implementation Plans.

Ms. Delores Romero is the Administrative Assistant for the Denver office and has over 20 years experience in project assistance and administrative and clerical responsibilities.

Mr. Gary Walvatne is a geologist with 20 years of extensive experience in RCRA permitting and RCRA corrective action reviews. Mr. Walvatne has also performed training in the RCRA area.

Ms. Charlotte Robinson Esq. is an attorney who specializes in environmental law. Her vast experience in the field includes transportation (Colorado) air quality, RCRA, NEPA, CERCLA, and under ground storage tanks, among others.

Ms. Susan Pearson is an assistant for the Denver office with over 10 years of experience in project assistance, administrative, and clerical responsibilities.

Individual staff responsibilities are shown in Attachment I, and hourly allocations are shown in Attachment II. The hourly staffing allocations are based upon a worst-case type scenario, as the actual amounts of documentation required for review is unclear at this time.

PERFORMANCE SCHEDULE

TechLaw shall complete the tasks in accordance with a schedule agreed upon with NMED. Mr. James Bearzi. NMED HWB will be notified by e-mail of a technical directive provided by staff or the General Counsel. TechLaw shall obtain approval of the work by Mr. Bearzi, or an individual whom he appoints this authority.

COST ESTIMATE

The estimated cost for completing project tasks scheduled to date is included as Attachment III. Travel is included in this Work Plan.

ATTACHMENT I

STAFF RESPONSIBILITY CHART

STAFF	ROLE	AREAS OF RESPONSIBILITY
J. Dreith	Program Manager/Technical Staff	General program oversight, monitoring of project planning and implementation, including performance of activities. Evaluate the present technical issues contained in the corrective action order, assist preparing the draft order with Ms. Robinson.
P. Walton	Work Assignment Manager Technical Lead Technical Staff	Overall project management including day-to-day management of project progress, project tracking, liaison to State, including performance of activities. Review of background documents and technical review of permit, including risk assessment sections. Research MDA-W options. Quality control reviews.
J. Ashworth	Technical Staff	Technical review of geologic and hydrogeologic sections. Research well drilling and construction methods.
B. Kendrick	Technical Staff	Technical review of documents and background information review. Focus on corrective action and geologic sections.
R. Kulthau	Technical Staff	Review Finite Element Heat and Mass Transfer Code
M. Smith	Technical Staff	Review Finite Element Heat and Mass Transfer Code
R. Blackburn	Technical Staff	Technical review of ecological risk assessment.
R. Young	Quality Assurance	Provide quality control for corrective action measures and hydrogeologic sections.
G. Walvatne	Technical Staff	Provide general technical assistance
C. Robinson	Outside Legal Counsel	Provide general legal assistance. Prepare first draft of corrective action order. Evaluate the present technical issues contained in the order.
J. Wrend	Outside Legal Counsel	Provide general legal assistance. Prepare first draft of corrective action order. Evaluate the present technical issues contained in the order.
S. Pearson	Administrative Assistant	Project assistance and clerical responsibilities.

ATTACHMENT II

STAFFING HOURLY ALLOCATIONS

Name	Labor	Task														Total
	Category	01	02	03	04	05	06	07	08	09	10	11	12	13	14	
Program Manager																
J. Dreith		60														60
Project Mgr/Work Assignment Mgr																
P. Walton		128														128
Technical Staff																
P. Walton	Technical Lead/Risk Assessment		128	208	16			12	60		40			40		504
B. Kendrick	Corrective Action		32	32	16						48					128
J. Ashworth	Hydrologist		40	160	16			96								312
R. Blackburn	Ecological Risk		30	30	4											64
R. Young	Quality Control				4	32										36
R. Kulthau	Hydrologist									16						16
M. Smith	Modeler									80						80
J. Dreith	Technical Staff				24							40		20		84
G. Walvatne	Technical Staff											10		20		30
Subcontractors																
C. Robinson	Legal Support				40							24	24	60		148
J. Wrend	Legal Support											16	16	40		72
Clerical Staff																
C. Olin							40									40
S. Pearson	Clerical/ Admin Review						40									40
TOTAL		188	230	430	120	32	80	108	60	96	88	90	40	180		1,742

ATTACHMENT III

COST ESTIMATE

<u>Name</u>	<u>P-Level</u>	<u>Hours</u>	<u>Cost</u>			
J. Dreith	P-4	144	\$ 13,600.80			
P. Walton	P-3	632	45,206.96			
B. Kendrick	P-3	128	7,747.84			
L. Ashworth	P-4	312	28,476.24			
R. Blackburn	P-4	64	5,491.20			
R. Young	P-4	36	3,045.60			
R. Kufthau	P-4	16	1,464.64			
M. Smith	P-4	80	7,701.60			
G. Walvatne	P-4	30	2,946.60			
C. Robinson	Outside Counsel	148	26,536.40			
J. Wrend	Outside Counsel	72	11,296.08			
C. Olin	Clerical	40	1,615.20			
S. Pearson	Clerical	40	1,615.20			
Total Labor		1,742	\$156,744.36			
Other Direct Costs:						
Reproduction	Copies 10,000	\$0.06	\$600.00			
Telephone	Minutes 4,200	0.23	966.00			
Telephone	Conference Calls 5	150.00	750.00			
Computer	DL hours 1,522	0.99	1,506.78			
Postage/Shipping	Lbs. 325	3.99	1,296.75			
Total Other Direct Costs			\$5,119.53			
Travel	Airfare	Hotel	Meals	Rental Car	Mileage & Parking	Total
Atlanta – Santa Fe	\$850.00	\$192.00	\$76.00	\$180.00	\$ 0.00	\$1,298.00
Denver – Albuquerque to Santa Fe (2 persons, 1 trip)	660.00	248.00	180.00	160.00	120.00	1,368.00
Denver – Albuquerque (1 person, 1 trip)	330.00	124.00	90.00	80.00	60.00	704.00
Total Travel Costs	\$1,840.00	\$ 564.00	\$ 346.00	\$ 440.00	\$180.00	\$3,370.00
Total Estimated Amount						\$ 165,233.89

* Associated with optional task.

Work Assignment No. 06082.600
 NMED HWB Corrective Action Chapter
 For the LANL Permit Renewal Review

Work Plan Revision No. 1
 10-Dec-01

ATTACHMENT III
 COST ESTIMATE

NAME	P-LEVEL	HOURS	RATE	COST			
J. Dreith	P-4	144.0	94.45	\$13,600.80			
P. Walton	P-3	632.0	71.53	45,206.96			
B. Kendrick	P-3	128.0	60.53	7,747.84			
J. Ashworth	P-4	312.0	91.27	28,476.24			
P. Blackburn	P-4	64.0	85.80	5,491.20			
P. Young	P-4	36.0	84.60	3,045.60			
P. Kulthau	P-4	16.0	91.54	1,464.64			
M. Smith	P-4	80.0	96.27	7,701.60			
G. Walvatne	P-4	30.0	98.22	2,946.60			
S. Pearson	Clerical	40.0	40.38	1,615.20			
D. Romero	Clerical	40.0	40.38	1,615.20			
Total Labor		1,522.0		\$118,911.88			
Subcontractor							
C. Robinson		148.0	\$179.30	\$26,536.40			
J. Wrend		72.0	\$156.89	11,296.08			
Subcontractor Travel		Airfare	Hotel	Meals	Rental Car	Mileage/Pk	
Denver to Albuquerque/Santa Fe		339.27	145.99	92.53	82.25	61.69	721.73
Denver to Albuquerque		339.27	127.48	92.53	102.81	61.69	723.78
Total Subcontractors							39,277.99
Other Direct Costs:							
Reproduction	Copies	10,000	\$0.06			\$600.00	
Telephone	Minutes	4,200	0.23			966.00	
Telephone - Conference Calls	Calls	5	150.00			750.00	
Computer	DL hours	1,522	0.99			1,506.78	
Postage	Lbs.	325	3.99			1,296.75	
Total Other Direct Costs						\$5,119.53	
Travel:							
	Airfare	Hotel	Meals	Rental Car	Mileage/Pk		
Atlanta - Santa Fe	\$850.00	\$192.00	\$76.00	\$180.00		\$1,298.00	
Denver to Albuquerque/Santa Fe	330.00	124.00	90.00	80.00	60.00	684.00	
Total Travel						\$1,982.00	
Total Estimated Amount						\$165,291.40	