



Department of Energy
Albuquerque Operations
Los Alamos Area Office
Los Alamos, New Mexico 87544

JUN 07 1985

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Peter Pache, Program Manager
Hazardous Water Section
NM Environmental Improvement Division
P. O. Box 968 - Crown Building
Santa Fe, New Mexico 87501

Dear Mr. Pache:

RE: Compliance Order/Schedule - Docket Number NMHWA 001007

This is in response to Ms. Denise Fort's letter of May 7, 1985, and its enclosed Compliance Order/Schedule pertaining to our Los Alamos National Laboratory. We are looking forward to working with you and your staff to accomplish the requirements of the Compliance Order/Schedule and the issuance of the requested Part B permit.

Although members of the DOE and Laboratory staff attended the March 7, 1985 meeting with your staff, during which the various items and time frames that are incorporated into the Compliance Order/Schedule were established, it would be incorrect to say that all such included items and dates were agreed upon by all parties. Many items and dates were established unilaterally by your staff. We reiterate our views that some of the dates required by the order are unattainable from a realistic operational standpoint.

The following comments are in reference to the similarly numbered paragraphs of the Compliance Order/Schedule:

Paragraphs 18 through 20. These requested items were submitted as part of the Part B application that was delivered to you on May 1, 1985.

Paragraph 24. The time increments allowed for our analysis and data interpretation were reduced by your order, from the 16 months that was requested in our proposal to only 8 months, and the allotted report preparation time was reduced from the requested 3 months to 2 months. We request that our original proposal be reconsidered in order to better assure that the technical requirements of this item can be achieved. This would allow for a more practical drilling schedule consistent with the potential for bad weather and the normally incurred equipment failures, and a more



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realistic opportunity for adequate data interpretation. We will do our very best to meet the total objectives within whatever time allotments are specified, but we think it imperative that we all realize at the outset that the quality and completeness of the total effort can be unreasonably jeopardized by requiring the work to be compressed unrealistically.

Paragraph 25. We sincerely believe that the need for Tasks 1, 2, and 3 should be predicated on the outcome of Tasks 4, 5, and 6. The first three tasks are theoretical efforts that need not be addressed until the more elementary characteristics of the immediate subsurface is determined. In addition, the time frames for accomplishing Tasks 4, 5, and 6 were proposed by us at 24, 48, or 64 months, as part of the three-step process. Again your staff unilaterally established the much shorter time frames, and mandated that all six tasks be accomplished simultaneously. As we indicated above in regard to Paragraph 24, we will do our very best to meet the total objectives within whatever time allotments are specified, but we think it imperative that we all realize at the outset that the quality and completeness of the total effort can be unreasonably jeopardized by requiring the work to be compressed unrealistically.

With respect to the time frames specified in Paragraphs 24 and 25, we urgently request your reconsideration of our original proposals thereon. They were developed only after considering all relevant factors, including the numerous potential delays that are inherent in field operations (e.g., drilling and coring under adverse weather conditions), the efficient use of personnel and drilling/analytical equipment, the R&D aspects of the efforts which your order is requiring of us, and the extremely tight budgetary constraints that we are all facing during these times of immense federal budget deficits. Admittedly, almost anything can be accomplished in shorter and shorter time frames provided you are willing to pay the price, both in terms of money and the quality of the results. We cannot guarantee that we will be able to obtain the necessary funds to do the job in the abbreviated time frames that are specified in your order and still expect to achieve quality results. Likewise, we do not think the EID wants to jeopardize the quality and the value of the results just in order to meet an accelerated schedule that is not based on any significant difference with respect to the potential environmental risks which are being incurred during the meantime. We therefore would very much appreciate an opportunity to meet with you sometime within the next several weeks to reevaluate the time requirements that are mandated in the Compliance Order/Schedule.

If you have any questions, please call me at 667-5105.

Sincerely,


Harold E. Valencia
Area Manager

cc:

Denise Fort, Director, NMEID

Donald M. Kerr, Director, LANL, MS-A100

Christopher S. Adams, Jr., ADTS, LANL, MS-A120

Jesse Aragon, HSE-DO, LANL, MS-P228

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Carlos Garcia, Director, EH&S Division, AL

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