

Permit

Los Alamos

Los Alamos National Laboratory
Los Alamos, New Mexico 87545

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memorandum

TO: Tom Gunderson, EM-DO, MS K491
THRU: *David* James White, EM-8, MS K490

DATE: July 2, 1992

MAIL STOP/TELEPHONE: K490/7-0819

FROM: David McInroy, EM-8 *David*

SYMBOL: EM-8:92-1788

SUBJECT: **OVERSIGHT OF THE HSWA PERMIT**

During the second quarter of 1992, the Environmental Restoration Program (EM-13) has accomplished several significant tasks. Accomplishments included the development and delivery of eight RFI Work Plans to the Environmental Protection Agency (EPA) and the New Mexico Environment Department (NMED), numerous interactions and negotiations with regulatory agencies and reconnaissance investigations. Some of the Programs activities are listed below in greater detail.

Outstanding from last quarter: On March 11, 1992, the EPA requested that the Laboratory do a permit modification to include the SWMUs in the 1990 SWMU Report. They also have requested that the Corrective Measure Study (CMS) schedule be officially modified. **This permit modification has not yet been submitted.** Members of EM-8, EM-13 and the Department of Energy (DOE) have been working together to develop a strategy for this modification. At this time EM-8 does not have sufficient information from EM-13 to develop the modification. It appears that EM-13 is having a difficult time in developing a schedule because of the DOE's unwillingness to commit funding. There is also a problem with the development of this permit modification, because members of EM-8's Hazardous and Solid Waste Section, believe that the 1990 SWMU Report include many units that are not bonafide SWMUs. A meeting is scheduled on July 2, with DOE, EM-13 and EM-8, to resolve the outstanding issues.

On April 8, 1992, DOE received a Notice of Deficiency (NOD) for the TA-54 Waste Oil Storage Tank Closure Report. The Laboratory had 30 days to respond to the deficiencies noted by NMED. EM-8 responded to the NOD and the State seemed satisfied with our response. They informed LANL that they intended to send the closure plan and report out for public comment.

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On May 20, 1992, the Laboratory submitted eight RFI Work Plans to EPA and NMED. These work plans were submitted to meet HSWA Permit requirements. It is questionable if they do (see February 24, 1992 memo to Vocke from McInroy regarding permit requirements for 1992 work plans). The DOE has requested that the Laboratory proceed immediately with the sampling as described in the work plans that address off-site property.

Because of this, the EPA and the NMED have expressed concern and warned that there is risk in proceeding without their approval of the plans.

On June 1 and 2, 1992, the Environmental Restoration Program Office had a retreat. The retreat was held in Taos and the topic of discussion was the organization effectiveness. The participants consisted of operable unit project leaders and technical team leaders. There was a lot of constructive criticism dealing with the program. Several working groups have been developed to address the problems.

On June 8 and 9, 1992, members of the Environmental Restoration Program and EM-8 gave tours to personnel of the NMED. The tour on the 8th was of the active firing sites at TA-36 and the tour on the 9th was a site-wide overview of the geology of the Pajarito plateau.

On June 19, 1992, the closure plan for the TA-54 waste oil tanks went out for public comment. NMED informed the Laboratory that we should comment on the closure plan and include a more detailed sampling plan and schedule for clean-up of the area where the tanks were located while in use (TA-54, Area L). It was the Laboratory's plan to defer the sampling and clean-up of any contamination associated with the tanks until all of Area L was characterized. The NMED said that it would issue an NOD if the detailed sampling plan was not submitted during the public comment period. Members of the ER program are developing the plan.

On June 22, 1992, members of EM-8 started sampling in the former area of TA-1. The other operable units that include the rest of the off-site SWMUs will mobilize to start sampling later this summer. The EPA and the NMED have expressed displeasure with the fact that they are not ready to split samples with us and that we are proceeding prior to work plan approval. As stated previously the sampling is proceeding at DOE's request.

Tom Gunderson
EM-8:92-1788

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July 2, 1992

Quarterly pore gas sampling continues to take place as the permit requires. These data are being modeled to help delineate the organic plume originating from TA-54, Area "L".

The Laboratory has met all regulatory deadlines driven by the HSWA permit this past quarter. Please feel free to call me if you have any questions.

DM:JW/gr

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