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November 25, 1998

Mr. John Kieling
 Hazardous and Radioactive Materials Bureau
 New Mexico Environment Department
 P.O. Box 26110
 2044-A Galisteo St.
 Santa Fe, New Mexico 87502

RE: Comments On Notice Of Intent To Approve A Modification To RCRA Permit No. NM0890010515 US Department of Energy/Los Alamos National Laboratory

Dear Mr. Kieling:

The New Mexico Environment Department-Surface Water Quality Bureau (NMED-SWQB) has reviewed the documentation regarding the notice of intent to approve a Class III permit modification to remove ninety-nine (99) Solid Waste Management Units (SWMUs) from the DOE/LANL RCRA permit. We appreciate this opportunity to review and make comments/recommendations.

SWQB, in most cases, concurred with the Hazardous and Radioactive Materials Bureau (HRMB) regarding the SWMUs proposed for removal from the DOE/LANL RCRA permit. However, in some cases SWQB will require more information concerning certain SWMUs before concurrence can be made. Comments/recommendations are submitted as an attachment to this letter. If you have any questions regarding the comments/recommendations made, please feel



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free to call Ms. Barbara Hoditschek of my staff at 827-0596.

Thank you again for your cooperation and the opportunity to comment.

Sincerely,



James H. Davis, Ph.D., Chief
Surface Water Quality Bureau

Enclosure

cc:

E. Kelley, Ph.D., Dir., NMED-WWMD
B. Garcia, Chief, NMED-HRMB
M. Leavitt, Chief, NMED-GWQB
J. Parker, Chief, NMED-DOE/OB
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File:LANL:NFA:99:SWQB

ENCLOSURE

Surface Water Quality Bureau (SWQB) Comments on Notice of Intent To Approve A Modification To The DOE/LANL RCRA Permit No. NM890010515

The SWQB has reviewed the information provided in the Notice of Intent for ninety-nine (99) SWMUs located at LANL and offers the following comments:

SWQB typically requires information regarding assessment of erosion potential (for LANL, the AP4.5) be provided for evaluation of all SWMUs considered for NFA. This information is a fundamental part of SWQB's decision making process regarding surface water concerns at SWMUs. Of the 99 SWMUs proposed for NFA, 20 had AP 4.5 scores. The 79 SWMUs without scores were reviewed to determine if an AP 4.5 would be required. All 99 SWMUs were evaluated with regard to potential surface water concern.

Review of the information provided in the NFA decision document indicate that some of the 79 SWMUs would not require an erosion potential evaluation. The following SWMUs will not require a AP 4.5 for the following reasons:

- 1) the SWMU **did not exist or was not found**: 3-009(b,c), 21-012(a), 40-001(a), 46-008 (c), 52-002 (c,d), and 54-013(a);
- 2) the SWMU is a **typographical error**: 7-003(c,d);
- 3) the SWMU is a **duplicate** of another SWMU: 3-009(h)=60-002, 8-006(b)=8-006(a), 16-005(i)=13-003(a), 16-006(i)=16-006(f), 16-032(d)=16-029(f2), and 16-017=16-034(g);
- 4) the SWMU **will be investigated as part of another SWMU**: 1-001(i,k) as 1-007(h), 1-001(n) as 1-007(d), 16-026(i2) as 16-006(a), and 16-012(k,r and s) as 16-029 (c,f,e);

NOTE: SWQB recommends a AP 4.5 evaluation for erosion potential be completed for the following SWMUs when they are investigated:

1-007(h), 1-007(d), 60-002, 8-006(a), 13-003(a), 16-006(f), 16-029(c,f,e), 16-006(a), and 16-029(f2).

The following SWMUs are septic systems, and will not require an AP 4.5 evaluation for erosion potential, **unless the leachfields associated with these SWMUs "daylite" to the environment.** If the SWMU has a leachfield which daylites and is identified as a separate SWMU, the AP 4.5 can be done when that SWMU is investigated, otherwise, the AP 4.5 must be done before SWQB can considered for NFA approval by the SWQB:

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1-001(h,l), 8-003(b,c), 9-003(c,f), 9-005(b,c,e,f,h), 9-007, 16-005(o), 16-006 (b), 3-018, 33-004(e,f), 36-003(c), 39-006(b), 52-002 (f), and 1-001(j).

The following SWMUs have AP 4.5 scores indicating the erosion potential scores are low. **SWQB concurs on approving these site for removal** from the DOE/LANL RCRA permit because the current information indicates they do not pose a substantial surface water threat:

3-020(a), 14-004(b), 16-012(a-h), 16-025(c), 16-026(i2), 16-031(g), 16-034(g), 21-024(m), 16-006(f), 39-003 and 52-002(b).

The SWQB has individual recommendation/comments on the following SWMUS:

0-005 Landfill

Because this is a landfill and no verification sampling has been done at the site, SWQB is concerned that constituents other than rad may have been disposed at this site. SWQB would recommend a AP 4.5 be conducted at this site before making a final decision on eligibility for NFA.

3-009(f) Surface Disposal

The description of the site (" a few concrete pieces visible along the bank") suggests that some of the disposal may be in the watercourse and thus a potential violation of section 2201 of the WQCC regulations. An AP 4.5 should be conducted at this SWMU.

3-012(a)

This site has an erosion potential score of 43.3. Part of the reason for the high score is a result of the site having a 30% slope and visible evidence of runoff. The runoff is to a natural channel which at the time of the assessment did not display signs of erosion. The channel was also well defined and vegetated so that an immediate concern for sediment transport was minimal. Natural drainage patterns are not directing storm water onto the SWMU. However, NPDES outfall (EPA 03A022) is located above the SWMU and acts as a run-on source to the site by discharging cooling tower blowdown water from TA-3-2238. NPDES records indicate that a maximum discharge of 32,400 gallons per year will flow from this outfall. In addition, approximately 600 gallons per year of potable water for fire protection will be discharged through the outfall. Based upon this information and the fact that the area below the outfall is rather stable, and that HRMB has determined no hazardous waste has been managed at the site, SWQB concurs with the determination of NFA. However, if future data indicate the site has become a conduit for

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transport of hazardous materials, SWQB requests that HRMB notify them in order that the appropriate actions can be taken to correct the situation.

11-007 Surface Disposal

This site does not have an erosion assessment score. The information provided in the NFA proposal indicates that the surface disposal area is located at the head of a small drainage and that it contained some road-building refuse. It is not clear whether the building refuse was located in the watercourse. SWQB recommends that the site have an AP 4.5 assessment and review to determine if there is a violation of Section 2201 (refuse in a watercourse) of the Water Quality Control Commission (WQCC) Regulations.

16-005(f) Decommissioned Septic System

This SWMU consists of a septic tank, drain line, and outfall located NE of TA-16-260. Process knowledge indicates that the septic tank was probably only used for sanitary waste, however, this was not verified (no soil sampling, or surface water/sediment samples have been taken). Erosion assessment of this site provided a high score (AP 4.5 score is 84.3). This score reflects the significant amount of gully erosion at the site observed along the sides of the outfall drainage channel which dissects an adjacent SWMU (16-019- MDA-R). MDA-R is scheduled for Phase 1 sampling for FY 99. The Surface Water Assessment Team (SWAT) reviewed the AP 4.5 assessment and recommended that the visible refuse observed at the site and in the watercourse during the assessment be removed. In addition, SWAT recommended BMPs (riprap, geotextile along banks and/or a few dissipation devices) be installed to address the erosion in the outfall drainage channel. SWQB concurs with the removal of the septic tank and leachfield from the permit, however, the Bureau remains concerned about the significant erosion in the outfall drain channel which runs through MDA-R. SWQB requests that the BMPs recommended by SWAT be installed and maintained in order to prevent further erosion and the migration of contaminated sediments from MDA-R to the watercourse. In addition, surface water monitoring should be done below the site to verify the effectiveness of the BMPs. The AP 4.5 also indicated refuse present in the watercourse. Failure to remove this refuse would constitute disposal of refuse which is a violation of Section 2201 of the Water Quality Control Commission (WQCC) Regulations. Therefore, the refuse should be removed before the SWMU is removed from the RCRA permit. In addition, the Phase 1 sampling scheduled at MDA-R should not be postponed.

16-032(e) Decommissioned HE Sump

Although this SWMU has not been assessed for erosion potential, SWQB concurs with HRMB concerning removal of this SWMU from the RCRA permit. The site had been misidentified as a decommissioned HE sump and actually was a water pump pit. Therefore, it does not seem to pose a threat to surface water.

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35-003(i) Surge Tank at Wastewater Treatment Plant (TA-35)

SWQB concurs with HRMB although this site was not evaluated for erosion potential. This decision is based on the NFA information HRMB evaluated which indicates that the tanks were never associated with the wastewater treatment plant and were used only to hold helium and nitrogen gases.

52-001(a,b,c) UHTREX Equipment

SWQB requests an AP 4.5 erosion potential assessment be conducted at this SWMU. Although the site was cleaned up to DOE guidelines for radioactivity, SWQB requires verification that the radioactivity remaining in the soil has no potential to enter the watercourse as refuse.

54-001(c) Storage Area Tank

SWQB concurs with HRMB's assessment that this SWMU can be removed from the RCRA permit based on information that the tank proposed for the storage of waste oil and hazardous materials at MDA L was never used.

1-001(j) Septic Tank

This SWMU was actually an aboveground tank used for the storage of dielectric gas and not a septic tank. HRMB indicates the tank was removed according to UST regulations and that the tanks integrity was confirmed. SWQB therefore concurs with the decision to remove this SWMU from the permit although no erosion potential evaluation was conducted at the site.

3-039 (a) and 8-007 Silver Recovery Units

No erosion potential assessment is required for these sites and the SWQB concurs with HRMB's decision to remove them from the permit. This decision is based on the NFA information which indicates the units were contained within buildings during the entire time of their operations and no spills or leaks associated with the units were reported.

16-012 (o,q,v,w,y,z) Container Storage-Rest House

SWQB will not require AP 4.5 assessment at these sites and concurs with HRMB's decision to remove these SWMUs from the RCRA permit because: 1) the AP 4.5 scores at SWMUs located in the same area were low (AP 4.5 scores were 15.3); 2) the container storage-rest houses had no exterior drains, and 3) recent field screening indicated no HE material leaked and/or spread from the container storage-rest houses.

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16-025(g2) Magazine

This SWMU is a building which is now under or in the immediate vicinity of a disturbed soil area associated with the construction of State Road 501. It had been used for the storage of non-HE materials such as aluminum powder, lead oxide, and barium nitrate and was destroyed in 1950. SWQB is concerned that no sampling of the disturbed area associated with the construction of State Road 501 was conducted. There is no evidence from the information provided that the non-HE material had not been released from the site. In addition, no AP 4.5 has been conducted at the site to provide SWQB with an assessment for erosion potential. SWQB therefore recommends an AP 4.5 be conducted at this site and that verification in the form of sampling and/or process knowledge which indicates no releases occurred at this SWMU.

53-007(b) Aboveground Storage Tanks

These tanks contained waste solvents, organics and carcinogens. Both tanks were located below the hot cell room in Experimental Area A of building TA-53-3. Both also had waste lines. SWQB is concerned that there is no clear evidence that a release did not occur. Also, since the tanks were connected to waste lines, SWQB is concerned that these lines may have discharged to the environment and thus potentially contaminate surface water. SWQB recommends an AP 4.5 be done at the site to identify whether any potential soil erosion problems associated with the waste lines exist.

Storage Areas, TAs 3, 14, 16

The following SWMUs out of a list of 15 had **AP 4.5 assessments which resulted in low scores:**

14-004(b), 16-012(i), and 16-012(t). SWQB concurs that these SWMUs can be removed from the RCRA permit.

Although HRMB characterized all 15 SWMUs as eligible for removal from the RCRA permit due to cleanup of contaminants at these sites to an acceptable RCRA level of risk, SWQB requests that the 12 SWMUs without AP 4.5 scores be assessed for erosion potential. SWQB believes that without the AP 4.5 scores, evaluation of the risk to surface water contamination due to the level of contaminants left in place is not possible. Therefore, SWQB can not recommend the following SWMUs be removed from the RCRA permit at this time.

3-001(a,b,c), 3-002(b), and 16-012(i,j,l-p,u,x)

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3-035(a) Underground Storage Tank

SWQB concurs with HRMB's decision to remove this SWMU from the RCRA permit for the reason stated in the NFA proposal, and will not require an AP 4.5 assessment at this site.

3-035(b) Underground Storage Tank

SWQB concurs with HRMB's decision to remove this SWMU from the RCRA permit. This decision is based on the information provided in the NFA proposal which indicate there were no leaks reported at this site and therefore no potential releases to surface water.

15-014(m) Active Drainline and Outfall

This SWMU has an AP 4.5 assessment score of 21.5, therefore, the erosion potential is low. The SWMU is categorized in the NFA proposal as a SWMU with releases that were characterized and/or remediated under another authority which adequately addressed corrective action. SWQB is not aware of any NPDES corrective action associated with this SWMU, and can not verify there were no releases of contaminants from the outfall. SWQB will concur with HRMB for the removal of this SWMU from the RCRA permit, however, if the SWAT review of the erosion assessment reveals there are problems at the site SWQB will request that this SWMU be reinstated onto the RCRA permit.

16-010(g) Wastewater Treatment Facility

This SWMU has an AP 4.5 score of 46, therefore, the erosion potential is medium. The SWMU is categorized in the NFA proposal as a SWMU with releases that were characterized and/or remediated under another authority which adequately addressed corrective action. SWQB is not aware of any NPDES corrective action associated with this SWMU, and can not verify that there were no releases of contaminants from the outfall. There is no surface water/sediment information for this SWMU. SWQB recommends the erosion problems be addressed at this site before it is removed from the permit.

3-020(a) Disposal Pit

The AP 4.5 score at this site is 3.6, therefore, the erosion potential is low. In addition, although there was a release at this site, the contaminated soil was removed to comply with the UST regulation limits, and the area was graded and paved as part of a parking lot. Therefore, potentially remaining residues are inaccessible for contamination to surface waters. SWQB concurs with the decision to remove this SWMU from the RCRA permit.

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21-027(b) Drainline

The AP 4.5 score for this SWMU is 47, therefore, the erosion potential for this site is medium. The NFA proposal indicates this SWMU is a drainline that was used for storm water diversion from a bermed area associated with a fuel tank. The AP 4.5 indicates there are actually two outfalls. One is an active NPDES outfall (03A034) which discharges treated cooling water from TA-21-166 and TA-21-167 to the south edge of DP Mesa. The second outfall was identified as an outfall discharging south into LA Canyon from a cooling tower associated with TA-21-152. The NFA proposal indicated that sampling at the site found no organic analytes present, however, radionuclides were elevated, but not above baseline for the TA-21 baseline value. SWQB was not aware that TA-21 baseline values for rad have had been approved by HRMB. SWQB is concerned that TA-21 baseline values are higher than the facility established baseline values for rad and that does not reflect an adequate protection of surface water. Therefore, SWQB does not recommend this SWMU be approved for removal from the RCRA permit until the erosion potential at this site is addressed adequately, and the SWQB concerns associated with the TA-21 rad levels are resolved.