

Permit

John Kieling

From: Donovan Porterfield [dporterfield@nnsa.net]
Sent: Thursday, September 30, 2004 7:42 PM
To: hazardous_waste_comment@nmenv.state.nm.us
Subject: LANL Order on Consent - Comments



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order-2004-con

The attached comments are in response to the invitation for public comments in the September 1, 2004 release of the proposed LANL Order on Consent.

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Los Alamos, NM 87544
September 30, 2004

James P. Bearzi, Chief
Hazardous Waste Bureau
New Mexico Environment Department
hazardous_waste_comment@nmenv.state.nm.us

Ref: LANL Order on Consent

Dear Mr. Bearzi,

The attached comments are in response to the invitation for public comments in the September 1, 2004 release of the proposed LANL Order on Consent.

Sincerely yours,

Mr. Donovan Porterfield
dporterfield@nnsa.net

Location	Comment
Acronyms	Suggest addition of AGI (American Geological Institute)
Acronyms	In context of this order BGS is being expressed in lower case unlike its occurrence here.
Acronyms	Suggest addition of DQO (Data Quality Objective(s))
Acronyms	Suggest addition of TKN (Total Kjeldahl Nitrogen)
Acronyms	Suggest addition of TNT (TriNitroToluene)
Acronyms	Suggest addition of XRF (X-ray fluorescence)
III.B (Definitions)	Reference U.S. EPA as source of TAL metals and these 23 metals: aluminum, antimony, arsenic, barium, beryllium, cadmium, calcium, chromium, cobalt, copper, iron, lead, magnesium, manganese, mercury, nickel, potassium, selenium, silver, sodium, thallium, vanadium, and zinc.
Table III-1	It is unclear why this table is not instead included IX, "Investigation and Sampling Methods and Procedures".
IV.C.5.c.ii	Extraneous period in middle of second paragraph.
VII.B.5	This section should specify a maximum response time for a written Department response to Respondents proposal for emergency interim measures.
VIII.	It is unclear why the second paragraph of this section is included given the content of VIII.A.1.a and VIII.B.1.b. Only the Surface Water section, VIII.C.1, does not address perchlorate, however I would expect that cited regulations would address such.
VIII.A.1.a	"... Respondents shall determine the nature and extent of the perchlorate contamination at the Facility and, if necessary , down gradient of the Facility." This requirement is subjective and out of place in a section addressing "Cleanup and Screening Levels" and should be deleted. The Order addresses nature and extent determinations in many more appropriate sections and in an objective manner.

Location	Comment
IX.B.2.b.ii	<p>“Upon recovery of the sample, one or more brass sleeves shall be removed from the split barrel sample and the open ends of the sleeves covered with Teflon tape or foil and sealed with plastic caps fastened to the sleeves with tape for shipment to the analytical laboratory.” & content of IX.B.2.j, “Upon recovery of the sample collected using split barrel samplers with brass sleeves, the brass sleeves shall be removed from the split barrel sampler and the open ends of the sleeves shall be lined with Teflon tape or foil and sealed with plastic caps. The caps shall be fastened to the sleeves with tape for storage and shipment to the analytical laboratory.”, seem redundant.</p>
IX.B.2.b.iv	<p>There seems to be considerable redundancy between the content of this section, “Drill Cuttings (Investigation Derived Waste)” and IX.B.5, “Collection and Management of Investigation Derived Waste”, that serves little apparent use.</p>
IX.B.2.d	<p>It is unclear why the Department is specifying a 10.6 eV PID in this section but a 11.7 eV value in IX.B.2.g.</p>
IX.B.2.d	<p>“Field XRF screening results for selected metals may be used in lieu of laboratory analyses upon written approval by the Department; however, the results shall, at a minimum, for confirmed by laboratory analysis at a frequency of 20 percent (one sample per every five analyzed by XRF analysis).” It is unclear what the numerical criteria is for confirmation of XRF and laboratory analysis. For example, should the 20% field duplicate criteria be utilized?</p>
IX.B.2.e	<p>“Field duplicates will be collected at a rate of ten percent” is redundant with IX.C.3.b.</p>
IX.B.2.g	<p>Suggest referencing the newer version of EPA method TO-14, i.e. TO-14A.</p>
IX.B.2.i	<p>It is unclear why “silicon/bromide” are being mentioned together in this table?</p>
IX.C.1.c	<p>It is unclear why only “radiogenic National Institute of Standards and Technology (NIST) traceable source standards” are being mentioned. Shouldn’t NIST traceable standards be used for all prescribed analyses, i.e. not just “radiogenic”?</p>

Location	Comment
IX.C	<p>“The laboratories shall use the most recent EPA and industry-accepted analytical methods for chemical analyses for target analytes as the testing methods for each medium sampled. Chemical analyses shall be performed in accordance with the most recent EPA standard analytical methodologies and extraction methods.” At best these two sentences are needlessly redundant and at worst are contradictory.</p>
IX.C.3.c	<p>This section does not clearly address the distinction between “method reporting limit” and “method detection limit”. The content of this section is also redundant of IX.C, “The detection limits for each method shall be less than applicable background, screening, and regulatory cleanup levels. The preferred method detection limits are a maximum of 20 percent of the cleanup, screening, or background levels. Analyses conducted with detection limits that are greater than background, screening, and regulatory cleanup levels shall be considered data quality exceptions and the reasons for the elevated detection limits shall be reported to the Department.”</p>
XI.C.9.h	<p>“Relevant water chemistry concentrations shall be presented as data tables <u>or as isoconcentration contours</u> on a map included in the Figures section of the report.” These changes to better agree with XI.C.9.e, XI.C.9.f, and XI.C.9.i</p>
XI.C.9.i	<p>“Relevant contaminant concentrations shall be presented as individual analyte concentrations or as <u>data tables, or as isoconcentration contours</u> on a map included in the Figures section of the report.” These changes to better agree with XI.C.9.e, XI.C.9.f, and XI.C.9.i</p>