DOE F 1325.8

United States Government | **Department of Energy**

memorandum

Albuquerque Field Office

DATE: APR 15 1993

REPLY TO ATTN OF: ERPO:KB:notescor.mem

SUBJECT: Transmittal of Corrected Monthly Status Meeting Notes

TO: S. Slaten, Environmental Scientist, ES&H, LAAO
S. Umshler, Engineer, ES&H, KAO

The February Monthly Status Meeting for New Mexico National Laboratories was held on February 26, 1993, in Albuquerque, New Mexico. Attached are corrected notes from the February meeting. The corrections are shown as follows: deletions are shown as strike outs and additions are shown in bold. Please replace the original set of notes transmitted in February in their entirety with these notes.

If you have any comments on the corrected meeting notes or anything else regarding the New Mexico National Laboratories Monthly Status Meeting, please call Kelly Bitner at FTS (505) 845-4606.

Kelly A. Bitner

Kelly A. Bitner
Acting Branch Chief
Laboratory ER Projects Branch
Environmental Restoration Project Office

Attachment

cc w/attachment:
J. A. Ahlquist, EM-452, HQ
W. F. Spurgeon, EM-452, HQ
R. Harris, EM-452, HQ
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T. E. Blejwas, Org. 7025, SNL/NM
W. B. Cox, Org. 7025, SNL/NM
J. L. Bellows, LAAO
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NOTES FROM THE NEW MEXICO NATIONAL LABORATORIES MONTHLY MEETING
EPA/NMED/DOE/LANL/SNL/NM
2/25/93, SNL/NM, ALBUQUERQUE

DISCUSSION OF PREVIOUS NOTES FROM THE FEBRUARY MEETING

- Benito Garcia should be added to the mailing list.

- The scope of these meetings is to discuss coordination issues, not to make decisions about or changes to the permits.

- Distribution of technical documents to the AIP program should be through the following people: Mike DuMond for SNL/NM and Bruce Swanton for LANL. N. Weber should be the distribution point for policy documents, but Danny Katzman (NMED/AIP) will check on this. Barbara Driscoll (EPA) asked that Notice of Deficiency (NOD) will follow formal compliance protocol, but a courtesy copy will be sent to Bruce Swanton and Mike DuMond.

- Correspondence from NMED to DOE regarding the AIP Program to the AIP Coordinator, ~~Tracy Loughhead~~ **Dennis Olona**, at Department of Energy, Albuquerque Field Office, P.O. Box 5400, Albuquerque, NM 87185.

- Next meeting will be Friday, April 2 at 9:00 at NMED in Santa Fe. Danny Katzman (NMED/AIP) will coordinate and develop the agenda. Agenda items are due by March 19. Fax number is (505) 665-7245.

LANL PERMIT MODIFICATION

- A permit modification request was submitted 2 weeks ago that 1) added new SWMUs and 2) staggered work plan submittal schedules. The goal is to have this request approved by May 23 when all ten work plans are currently due.

- The next steps are public notice of permit modification and comment period in the newspaper and to the official mailing list (NMED is the keeper of the official mailing list). Comment period should be 60 days and a public hearing has to be held. LAAO will collect all comments, prepare a comment response document, and submit everything to EPA for approval. David Neleigh (EPA) noted that the comments and responses must also be provided to the commentors. Barbara Driscoll (EPA) stated that NMED can provide comments since the state does not have HSWA authority yet.

- Another permit modification will be requested to delete SWMUs that are active RCRA units. In order to do this, LAAO

must provide descriptions of these units to EPA. EPA and NMED will review the units to determine which should be left on the HSWA permit. EPA has been promised these descriptions by March 19.

THRESHOLD FOR PERMIT MODIFICATIONS

⊕ Schedules submitted with work plans will experience slips due to weather, funding, equipment/resource availability. Is there a threshold for how much slip can occur before a permit modification is requested?

⊕ B. Driscoll (EPA) said that for slips of schedules in an approved work plan, a letter requesting an extension with the reason for the request will be adequate. However, don't wait until the slip has already occurred to notify EPA. Provide notice as soon as possible. She would also like more detail on the projected dates of sampling runs, particularly for those planned this summer.

⊕ S. Umshler (DOE/KAO) asked whether EPA could accept/approve only part of a modification. D. Neleigh (EPA) responded that all or part of a permit modification may be approved, especially in cases where the state and EPA share authority, then joint approval would be required.

SNL/NM PERMIT STATUS

⊕ Agreement has been reached regarding the permit language. The revision is according to agreements made. It is currently at EPA legal awaiting signature. Cynthia Hall of SNL/NM's legal staff will then receive DOE's review copy of the draft. If it is acceptable, both parties will sign a Settlement Agreement. A new effective date for the permit will be 30 days after signing the Settlement Agreement.

⊕ EPA will clarify which dates in the permit were staid when the draft permit is sent to DOE.

⊕ Three work plans will be submitted in mid-March: the Mixed Waste Landfill, the Liquid Waste Disposal System, and the Septic Tanks and Drainfields plans. The work plan for TA-3/5 will be submitted by April 2 along with the Program Implementation Plan. Sue asked that EPA regard the Mixed Waste Landfill work plan as the "flagship" in terms of future format. W. Cox (SNL/NM) said that an updated mailing list and quarterly report was also being sent to EPA.

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⊕ A discussion of authority for the Mixed Waste Landfill operable unit resulted in an action item for B. Swanton (NMED/AIP) to clarify EPA and NMED responsibilities for this site. S. Umshler (DOE/KAO) will provide a briefing on the Mixed Waste Landfill at the next meeting (April 2).

⊕ KAO's strategy to public involvement for work plans is to hold a Saturday briefing and tour, and then take oral and written comments over a 60-day period. S. Slaten (DOE/LAAO) recommended an informal approach to avoid the appearance of being a formal meeting or hearing, and use of a comment form that could be turned in (or mailed) to capture oral comments at the briefing. B. Driscoll (EPA) stated that EPA would like to be kept informed of public involvement activities, but will not participate. Also, EPA would like to see the public comments along with DOE/SNL/NM's responses.

LANL WORK PLAN STATUS

⊕ OU 1148 has been reviewed by B. Driscoll (EPA) and peer reviewed by EPA air and storm water personnel. The NOD will be issued next week. Then review of OUs 1129 and 1122 will begin. An NOD has already been issued for OU 1144.

⊕ Staff of NMED/AIP hope to have completed review of OUs 1144 and 1148 by March 12. Also hope to submit comments on OU 1106 (TA-21) in the same time frame.

⊕ B. Driscoll (EPA) noted that the OU 1144 references Standard Operating Procedures (SOPs) extensively. Completing and approving SOPs should be a priority, along with completion of background sampling.

NOTICE OF DEFICIENCY VS COMMENT LETTER

⊕ Steve Slaten (DOE/LAAO) noted that the Univ. of California plans to use the number of NODs received as one measure of program performance. The NODs issued thus far have ranged from requests for clarification to a deficient work plan. Could a Comment Letter be issued rather than a NOD in some cases?

⊕ Although the NOD will be the standard response, EPA and NMED representatives offered a number of suggestions on how to improve the quality of the documents to decrease the number of NODs. These suggestions included: EPA and NMED/AIP involvement in informal meetings prior to submittal of the draft to get advice on approaches; utilize experience of

OUPLs that have already been through the experience; concentrate on explaining what you're doing, why you're doing it, and how you're doing it.

⊕ Other approaches DOE is taking to improve the quality of the work plans include: Value Engineering Review by Argonne National Laboratory and internal (laboratory/DOE) technical team reviews.

⊕ D. Neleigh (EPA) stated that while EPA/HQ makes global policy, the Region approves the work plans. These meetings are intended to keep the labs on track.

FUNDING

⊕ B. Spurgeon (DOE/HQ) stated that the FY94 budgets will probably be reduced by 20% and the FY95 budgets are unknown. He also said that available laboratory funding will be allocated to OUs posing the greatest risk to human health and the environment.

⊕ D. Neleigh (EPA) responded that DOE should try to get the maximum decision information for the money. Permits are legally enforceable, and as long as DOE does the maximum possible to comply with the permits, EPA will work with DOE's funding constraints. The key is to use the money available to accomplish permit requirements. EPA expects that there may be shifts in priority, but DOE should try to minimize the number of changes submitted for approval.

⊕ S. Umshler (KAO) asked for regulatory support in conveying budgetary restrictions to an impatient public. B. Swanton (NMED/AIP) stated that when plumes are adequately monitored, NMED will do their part in assuring the public that their health is protected.

DOCUMENT AVAILABILITY

⊕ D. Katzman (NMED/AIP) inquired about getting copies of documents from the Records Processing Facility. S. Slaten (DOE/LAAO) responded that requests that will require substantial amount of copying should be made through LAAO. Otherwise, a direct request to the Records Processing Facility is acceptable.

⊕ The AIP agreement commits to providing access to LANL documents to minimize the number of copies requested by various NMED organizations.

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FUTURE LAND USE

- Determination of future land use is essential in determining clean up levels.

- S. Slaten (LAAO) said that access controls on DOE property are generally quite strict. Access to these types of facilities may be less of a problem than at other types of sites.

- B. Swanton (NMED/AIP) suggested that the Future Land Use Study done at Hanford by its stakeholders could be used as a model to develop future land use scenarios at LANL.

- D. Neleigh (EPA) stated that there is still controversy at Hanford. The site-specific advisory board comments on future land use, but ultimately this is a regulatory decision. Decisions on future land use must also take into consideration the use of institutional controls, not just residential scenarios.

- S. Slaten (DOE/LAAO) asked that at the next meeting, volunteers be identified to form a Future Land Use Working Group.

LANL MIXED WASTE DISPOSAL FACILITY

- A comment resolution meeting on the Conceptual Design Report was held with DOE on February 11. Oral approval to expend funds for Title I design was given. Completion of Title I will allow the permitting process to begin.

- B. Driscoll (EPA) said that EPA will be reviewing the minimum technology requirements of this facility.

- At SNL/NM the mixed waste moratorium is only applied to waste streams not listed in the permit. However, SNL/NM has internal prohibition because of a lack of storage capacity. Use of the Corrective Action Management Unit (CAMU) concept ~~will solve~~ **is a potential solution to** the storage problem for ER sites.

DECONTAMINATION AND DECOMMISSIONING

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- L. Soholt (LANL/EM-13) described the D & D Program. At LANL it currently involves two areas -- TA-21 and TA-35. The projects include two buildings at TA-21 and the Phase Separator Pit at TA-35. The D & D Program is integrated with the ER Program so that work is done as efficiently as possible.

- D. Neleigh (EPA) stated that EPA is looking into what extent EPA has authority to regulate D & D.

EPA TQM WORKSHOP

- Workshop attendees present expressed their appreciation for the effort and information presented. S. Slaten (LAAO) recommended hosting the next effort in New Mexico.

- B. Driscoll (EPA) stated that EPA's goal is to shorten the first review to 90 days, and final resolution to 180 days from first submittal of a document.

KEYSTONE ADVISORY GROUP TO EPA

- D. Neleigh (EPA) explained that the Keystone Group consisted of EPA, DoD, DOE, and action group participants. To date, they have agreed that (1) agencies will develop budget requests such that any cuts are prorated among facilities, and that (2) there may be site-specific advisory boards at facilities where significant interest has been generated. DOE has agreed to fund these boards at its facilities.

ELECTRONIC DATA ACCESS

- M. Ray (LANL) said that the T1 link to NMED at White Rock would be complete in about 6 weeks. They will be given accounts and an HBX terminal to access FIMAD. The NMED facility at TA-3 , will be given access in the meantime. If plots are desired, a plot will be generated for NMED upon request.

- L. Winn (NMED/AIP) inquired about electronic data access at SNL/NM. B. Swanton elaborated that NMED would like access to view data and do electronic searches. W. Cox (SNL/NM) reported that there is an interface problem that still needs to be worked out before Sandia information can be accessed through FIMAD. Also data input to the Oracle ARC/INFO data base is not yet complete to generate the type of information requested by NMED.

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RELEASE OF DRAFT WORK PLANS

⊕ S. Slaten (LAAO) said that draft documents cannot be released to NMED or NMED AIP prior to completion of internal review and approval by the Area Office Manager. However, upon case-by-case request, LAAO may let AIP personnel read an internal draft without copying or releasing it.

CAMU RULE AND OTHER INFORMATION

⊕ D. Neleigh (EPA) updated the group on the CAMU rule, now published in the Federal Register and effective in April 1993. Most everything in the rule will require a Class 3 modification which will take as long as a Class 3 mod on a RCRA Part B Permit. He recommended also reading the Preamble.

⊕ The annual Federal Facility Conference will be held in Dallas on May 10-12, 1993.

⊕ The US Army Corps of Engineers will host a conference on technologies for remediating explosives and radioactive waste on July 22-23, 1993 **in Dallas.**