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**ENVIRONMENT DEPARTMENT**

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**CERTIFIED MAIL -RETURN RECEIPT REQUESTED**

April 16, 2007

David Gregory  
Federal Project Director  
Los Alamos Site Office  
Department of Energy  
528 35<sup>th</sup> Street, Mail Stop A316  
Los Alamos, NM 87544

David McInroy  
Remediation Services Deputy Project Director  
Los Alamos National Laboratory  
P.O. Box 1663, Mail Stop MS M992  
Los Alamos, NM 87545

**RE: PERIODIC MONITORING REPORT  
LOS ALAMOS WATERSHED  
SAMPLED JULY 24 THROUGH AUGUST 10, 2006  
LOS ALAMOS NATIONAL LABORATORY, EPA ID #NM0890010515  
HWB-LANL-07-001**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the U.S. Department of Energy and the Los Alamos National Security, LLC's (collectively, the "Permittees") *Periodic Monitoring Report for Los Alamos Watershed Sampled July 24 through August 10, 2006*, dated January 2007 and referenced by LA-UR-06-8092/EP2006-1008. NMED has reviewed the document and has the following comments.

1. The Permittees state that there are data from monitoring locations on San Ildefonso land that have not been reviewed and released by the Pueblo and, therefore, are not included in this report. There are also data that have not been reported because of delays at the analytical laboratory (section 3.4). The Permittees further state that these data will be reported in a subsequent periodic monitoring report, but do not specify which one. The



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Permittees must report the data in the next periodic monitoring report. In order to track these data, the Permittees must add a section to the next Los Alamos Watershed periodic monitoring report to present and discuss data included from prior sampling events. The Permittees must also include these data in the data tables in accordance with Section XI.D.11 of the Consent Order.

2. In Section 4.0 (Analytical Data Results), the Permittees did not follow the reporting requirements described in Section XI.D.8 of the Consent Order. The Consent Order specifies, among other requirements, that this section provide the analytical results along with a “comparison of the data to previous results and to background levels, cleanup standards, or established cleanup levels for the site.” The Permittees refer to Tables D-1, D-2, and D-3 for the analytical results, standards, background, and cleanup levels; however, the tables are not complete. For example, the Permittees report elevated bis(2-ethylhexyl)phthalate and toluene concentrations in surface water (base-flow). The Permittees do not state at which locations these data were collected nor do the Permittees clearly identify on Table D-1 which locations are surface water.

In addition, as stated in Section XI.D of the Consent Order, “interpretation of data shall be presented only in the background, conclusions, and recommendations sections of the reports.” The Permittees present data interpretations throughout the analytical data results section. For example, the Permittees state that “the bis(2-ethylhexyl)phthalate and toluene results likely are due to sampling and analysis cross-contamination.” In subsequent reports, the Permittees must reserve data interpretation, and the justification for such interpretation, for the appropriate sections.

The issues described above constitute violations of the Consent Order; however, NMED will forego enforcement in this case as long as the required changes are incorporated into future periodic monitoring report submittals.

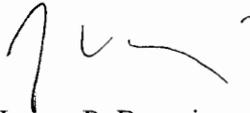
3. In the report, the base flow sampling locations are scattered throughout the table making it difficult to locate the referenced elevated levels. Moreover, the standards, background, and cleanup levels are presented on a separate table making it more time-consuming than necessary to identify any exceedances. In subsequent reports, the Permittees must present the data and comparisons to applicable standards on the same table to incorporate this comment.
4. Perchlorate was detected in monitoring wells R-4 and R-6i during this reporting period. The Permittees must evaluate the source and extent of the perchlorate contamination in accordance with Consent Order section VIII.A.1.a. The Permittees must submit a work plan no later than July 18, 2007 describing proposed investigation activities to determine the source of the detected perchlorate contamination in monitoring wells R-4 and R-6i.

The Permittees must address the comments in subsequent periodic monitoring reports unless

Messrs. Gregory and McInroy  
April 16, 2007  
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otherwise indicated. Should you have any questions, please contact John Young at (505) 476-6038.

Sincerely,

A handwritten signature in black ink, appearing to read 'James P. Bearzi', with a stylized flourish at the end.

James P. Bearzi  
Chief  
Hazardous Waste Bureau

cc: J. Young, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
D. Cobrain, NMED HWB  
L. King, EPA 6PD-N  
G. Rael, DOE OLASO, MS A316  
file: Reading and LANL (Groundwater '07)