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May 10, 2005

Mr. David Cobrain  
State of New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East  
Building One  
Santa Fe, New Mexico 87505-6303



Reference: Work Assignment No. 06110.290.0002; State of New Mexico Environment Department, Santa Fe, New Mexico; Human Health and Ecological Risk Assessment Support; Review of the Response to Notice of Disapproval on the Los Alamos and Pueblo Canyons Investigation Report, Los Alamos National Laboratory, Task 2 Deliverable.

Dear Mr. Cobrain:

This letter serves as a deliverable for the above-referenced work assignment, and consists of the evaluation of the response to notice of disapproval on the Los Alamos and Pueblo Canyons Investigation Report, Los Alamos National Laboratory (LANL).

Unless discussed below, all of the responses to the risk assessment-related comments were adequate. However, as noted in several of the responses, the requested information will be provided with the revised report. As the revised report was not provided at this time, it is suggested that a review of the revised report be conducted to ensure the responses have been adequately incorporated and that no additional concerns remain.

Comment No. 2, Section 6.1, Data Preparation, page 6-1. The response to this comment is partially adequate. The original comment indicated concern that LANL was dropping all constituents of potential concern (COPCs) from the risk analysis if the detection frequency was less than or equal to 5 percent (5%). As indicated in the response, if there is the potential that a constituent is present due to site activities, the constituent must be retained in the risk analysis, regardless of the detection frequency (unless all samples were non-detect). The comment requested that at a minimum, a separate risk analysis based upon the low detection COPCs be conducted and discussed in an uncertainty analysis. LANL indicated that some of the COPCs will be retained in the risk analysis, if the COPC meets one of two criteria. This is acceptable. However, for those COPCs that

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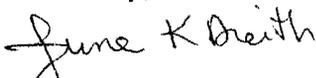
do not meet one of the two criteria, LANL proposes to still exclude them. This is not acceptable, as LANL did not provide sufficient justification that the COPCs could not be present due to site activities. For those COPCs that are not either 1) present in other media in the subwatershed with a detection frequency of  $\geq 5\%$ , or 2) part of a closely related suite containing other analytes present at a detection frequency of  $\geq 5\%$ , the risks must still be evaluated. For those COPCs not meeting the above criteria, the risks should still be evaluated, at a minimum in a separate analysis and discussed in the uncertainties section of the report.

Comment No. 3, Section 6.2.2.1, Terrestrial Ecological Screen and 6.2.2.2 Aquatic Receptor and Pathway Ecological Screen, page 6-5. There is some concern with this comment/response; however, it appears that this agreement was made with the NMED, to allow for COPCs to be dropped if they contribute a hazard quotient (HQ) of 0.3 or less. There is still concern that this may underestimate the overall hazard index (HI) for an environmental receptor. For example, there may be 5 COPCs with an HQ of 0.25, but when added together, the HI is 1.25. Even though the target HI is one (1), there is generally no concern for ecological risks unless the HI is significantly above ten (10). Therefore, while there is some concern, the overall impact on the analysis is most likely negligible. Therefore, the response to this comment was deemed adequate.

Comment No. 7, Section 6.3.3.3.1, Groundwater, page 6-11, discusses the lack of data required to conduct a soil-to-groundwater screening analysis. As noted in emails (dated April 22, 2005), between Ms. Goering and Ms. Walton, the response to this comment is adequate, as long-term groundwater monitoring will be conducted. Therefore, no additional comments or concerns related to this issue were noted.

The letter is formatted in Word and was emailed to you on May 10, 2005 at David\_Cobrain@nmenv.state.nm.us and to Ms. Darlene Goering at Darlene\_Goering@nmenv.state.nm.us. A formalized hard (paper) copy of this letter will be sent via mail. If you have any questions, please call me at (303) 763-7188 or Ms. Paige Walton at (801) 451-2978.

Sincerely,

  
June K. Dreith  
Program Manager

Enclosure

cc: Ms. Darlene Goering, NMED  
Ms. Paige Walton, TechLaw