

SIERRA ROCK, INC.

ROBERT BEAVER
P.O. BOX 3382
RENO, NEVADA 89505

Field Office: Sildell, LA
Telephone: 504-649-6805

Telephone 702 356 9137
Fax: 702 356 7048

Residence 504-649-6805
Mobile:

0131
TA-00

SOIL PROCESSING SERVICE

JANUARY 18, 1996

**SAMUEL COLEMAN
DIRECTOR OF COMPLIANCE ASSURANCE
AND ENFORCEMENT DIVISION, EPA
1445 ROSS AVENUE
DALLAS, TX 75202**

ATTN: MR. COLEMAN,

**SUBJECT: LANL MOVING HAZARDOUS WASTE FROM GUAJE PINES
CEMETERY ROAD IN LOS ALAMOS TO THE ACTIVE GUN RANGE ON
LANL PROPERTY.**

ON SEPT. 30, 1993 SIERRA ROCK, INC. ENTERED INTO A CONTRACT WITH LANL TO CLEAN THE LEAD CONTAMINATED SOIL AT THE GUAJE PINES GUN RANGE. IN APRIL OF 1994 WE PREPARED THE SITE FOR REMEDIATION. FINDING THAT THE BACKSTOP BERM WAS VERY HIGH IN LEAD CONCENTRATES, AS THE SAMPLING DONE BY THE NEW MEXICO BUREAU OF MINES AND MINERAL RESOURCES SHOWED. WE DUG OUT THE HOT SPOTS, SPREAD THE LEAD AROUND AND MIXED THE LOWER CONTAMINATED SOILS IN AND ON TOP OF THE HIGHER LEAD CONCENTRATES. THIS WAS DONE SO WE WOULD NOT SERGE THE PLANT WHEN GOING THROUGH THE MASSIVE LEAD CONTAMINATED AREAS. (THE NEW MEXICO BUREAU OF MINES REPORT WITH THEIR MAP IS ENCLOSED. IF YOU NOTE IT IS CALCULATED BY PER CENT AND IT IS VERY HIGH IN LEAD.)

THE RIFFLE BACKSTOP BERM HAVING THE HIGHEST CONCENTRATE OF LEAD WAS DUG OUT AND COVERED WITH THE OUTER BERMS AND MATERIAL FROM THE 240 FT. AREA BETWEEN THE BERMS AND WHERE THEY SHOT FROM. THIS SOIL RAN FROM 0 TO 500 PPM. I HAVE ALL THE MIXING AND MOVING OF THE MATERIAL ON VIDEO.



THE VIDEO WILL SHOW ALL THE WORK DONE ON SITE AND THE AMOUNT OF LEAD WE WERE RECOVERING FROM THE CONTAMINATED SOIL. WE CLEANED, ON THE MAP I GAVE YOU, FROM RIGHT TO LEFT. THE LESS CONTAMINATED SOILS BEING IN THE PISTOL RANGE. WE RECOVERED OVER 30 TON OF LEAD OUT OF ABOUT 5500 TON OF SOIL. THE LEAD IS IN 13 BARRELS STILL ON SITE AND I HAVE RECORDS OF OUR DAILY RUNS. THERE IS OVER 1000 BAGS OF PINE NEEDLES THAT WE TRIED TO CLEAN. WE PUT THE PINE NEEDLES ON A 4' X 8' SHEET OF PLYWOOD AND USED A METAL DETECTOR TO HAND PICK ALL THE LEAD OUT. AFTER REMOVING THE LEAD, THE PINE NEEDLES STILL RAN 700 PPM AND COULD NOT BE REMOVED FROM THE SITE.

THIS GUN RANGE HAS BEEN USED SINCE THE 1940'S BY THE DEPARTMENT OF WAR AND IN 1976 IT WAS GIVEN BACK TO THE SANTA FE NATIONAL FOREST WHERE IT WAS USED BY THE GENERAL PUBLIC. (THIS IS IN THE NATIONAL RESPONSE LETTER OF APRIL 13, 1992 BY AL DEFLER, FORESTRY SUPERVISOR.) ANYONE WITH JUST A LITTLE COMMON SENSE CAN IMAGINE HOW MANY TONS OF LEAD WOULD BE ACCUMULATED OVER THIS PERIOD OF TIME.

AT ONE TIME SOMEONE ENLARGED THE RIFLE RANGE BY PUSHING THE BERM OVER THE BACK SLOPE AND PUTTING A NEW BERM IN. ERM/GOLDER SAMPLED THE BACK SLOPE AND FOUND IT TO BE CONTAMINATED WITH LEAD. JCI, A CONTRACTOR, REMOVED ABOUT 2000 YARDS OF CONTAMINATED SOIL AND PUT IT ON THE BACK OF THE EXISTING CONTAMINATED SOIL PILE. THEY COVERED THE BACK SLOPE WITH 6" OF TOP SOIL AND SEEDED IT. THIS IS WHERE THE 700 PPM CONTAMINATED PINE NEEDLES CAME FROM.

IN THE VOLUNTARY CORRECTIVE ACTION PLAN SWMUO-016, FORMER SMALL ARMS RANGE REVISION 3, FEBRUARY 7, 1994, REMEDY 3.2, THAT I HAVE ENCLOSED, YOU WILL FIND THAT YOU REJECTED THE RELOCATING OF THE SOIL WITH BULLETS AND LEAD FRAGMENTS TO THE ACTIVE SMALL-ARMS FIRING RANGE. THIS WAS BECAUSE OF THE AMOUNT OF MASSIVE LEAD IN THE BERMS. YOU ACCEPTED THE SOIL WASHING REMEDIATION SYSTEM AND REQUIRED THAT THE SOILS BE CLEANED TO 500 PPM, AS REQUIRED FOR RESIDENTIAL USE. IN THE SUMMARY OF PREVIOUS INVESTIGATIONS, 2.2 VCA, THE USES CONDUCTED A STUDY OF THE AREA IN 1991. IN THIS STUDY 11 OF 21 SAMPLES TAKEN FROM THE SWMU FAILED TCLP FOR HEAVY METAL.

WHY IS THE CONTAMINATED MATERIAL NOW CLEAN. LET ME TRY TO EXPLAIN. ERM/GOLDER DOCUMENTED THE MATERIAL WOULDN'T PASS WHEN IT WAS ON THE BACK SLOPE BUT IT PASSED WHEN IT WAS ON THE PILE. WHY DID THE BERM SAMPLES WHICH WERE IN THE TENS OF THOUSANDS PPM NOW PASS? IT'S CALLED DILUTION. IF YOU HAVE 3" OF CONTAMINATED SOIL AND YOU EXCAVATE 6" TO MAKE SURE YOU GET ALL THE CONTAMINATED MATERIAL, YOU DILUTE IT. IF YOU HAVE 1000 TONS OF VERY HIGH LEAD CONCENTRATES SUCH AS IN THE BACKSTOP AND YOU MIX IT WITH 3000 TONS OF LOW LEAD CONTAMINATED SOIL SUCH AS IN THE STAGING AREA, YOU DILUTE IT. ONCE A SITE IS SAMPLED, AS THIS ONE WAS BY NUMEROUS CONCERNS, AND IT BECOMES A HAZARDOUS WASTE SITE, AS THIS ONE IS, YOU SUBMIT A VCA PLAN TO CLEAN IT, AS THEY DID. EPA AGREED TO A SOIL WASHING REMEDIATION SYSTEM OF WHICH WE WERE HIRED AND CLEANED HALF OF THE CONTAMINATED MATERIAL.

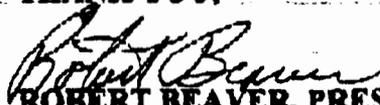
NOW YOU HAVE A PILE OF CONTAMINATED SOIL LEFT WITH PROBABLY 60 TON OF LEAD IN IT AND YOU CAN SEE LEAD BULLETS EVERYWHERE. BECAUSE DOE AND LANL HAS MISCALCULATED AND WASTED QUITE A BIT OF TAX PAYERS MONEY THEY WOULD LIKE EPA TO JUST TURN THEIR HEAD WHILE THEY HAUL THE CONTAMINATED MATERIAL TO THE ACTIVE GUN RANGE AND FORGET IT. IF THIS ISN'T CRIMINAL IT IS VERY CLOSE. DOE AND LANL HAS SAMPLED FOR TCLP TO TRY TO PROVE THIS GUN RANGE IS NOW CLEAN WHILE KNOWING THIS MATERIAL HAS BEEN MIXED WITH LOW LEAD CONTAMINATED SOILS AND IS NOT IN ITS ORIGINAL STATE WHEN SAMPLED. THEY KNOW THIS MATERIAL HAS BEEN MIXED TO BE CLEANED. THEY ALSO KNOW THIS MATERIAL WILL PASS TCLP BECAUSE OF THE MIXING. I PERSONALLY TOLD AN ERM/GOLDER REPRESENTATIVE ON SITE THIS PILE COULD NOT BE SAMPLED FAIRLY BECAUSE OF THE MIXING WITH THE LOW GRADE. ERM/GOLDER ALSO TOOK PICTURES AND MADE A VIDEO OF WHAT WAS GOING ON, ON THE SITE. THIS VIDEO, AS TOLD TO ME, WAS MADE FOR LANL SO IT IS SAFE TO ASUME BOTH ERM/GOLDER AND LANL KNEW THE MATERIAL WAS MIXED. I DON'T KNOW IF DOE WAS SHOWN THE PICTURES OR THE VIDEO. I AM FORWARDING A COPY OF THIS LETTER AND A COPY OF MY VIDEO TO JOSEPH VOZELLA, DOE. SAMPLING OF THIS PILE MEANS NOTHING NOW. ONCE IT WAS SAMPLED AND PILED AS HAZARDOUS WASTE, IT WILL ALWAYS BE HAZARDOUS WASTE. VCA. DILUTION IS NOT THE SOLUTION, EPA.

THEY WILL HAVE TO CLEAN IT OR HAUL IT TO A HAZARDOUS WASTE DUMP THE SAME AS ANY OTHER PUBLIC CONCERN IN THE UNITED STATES UNDER EPA. IF YOU WISH TO CHANGE YOUR REGULATIONS I WOULD BE MORE THAN HAPPY TO MIX LEAD CONTAMINATED SOILS TILL THEY PASS TCLP AND THEN JUST HAUL THE SOIL AWAY INSTEAD OF CLEANING IT.

MR. COLEMAN, IF YOU DID NOT KNOW WHAT WAS GOING ON, ON THIS SITE, YOU DO NOW. I DON'T CARE ABOUT WHAT NMED DOES BUT I DO WANT TO KNOW WHAT EPA IS GOING TO DO. I, AS A CONCERNED CITIZEN, WOULD LIKE A LETTER FROM THE APPROPRIATE PERSON IN EPA STATING YOUR POSITION. IF YOU ARE GOING TO TURN YOUR HEAD AND LET THIS HAPPEN I BELIEVE YOU SHOULD DO THE SAME FOR ALL THE PUBLIC GUN RANGES THAT MUST BE CLEANED. COMMON SENSE SAYS THE WORDS GUN RANGE SPEAKS FOR ITSELF.

THE WORD I GOT IS NMED IS AUTHORIZED TO AND WILL GIVE DOE AND LANL THE OK TO HAUL THE CONTAMINATED SOIL TO THE ACTIVE GUN RANGE. PLEASE CONSIDER THIS AS A NOTICE TO EPA. IF YOU WISH TO LOOK INTO THIS IT IS YOUR DECISION. PLEASE CONTACT ME IF THERE IS ANY WAY I CAN ASSIST YOU. THE VIDEO WILL BE MAILED TO YOU TODAY.

THANK YOU,


ROBERT BEAVER, PRES.
504-649-6805

CC: TONY A. GALLEGOS, OFFICE OF INSPECTOR GENERAL
ROSEMARY PETERSON, OFFICE OF INSPECTOR GENERAL
CRIMINAL DIVISION
CARLTON PATTON, EPA, OFFICE OF CRIMINAL INVESTIGATIONS
JOSEPH VOZELLA, U. S. DEPARTMENT OF ENERGY



SIERRA ROCK, INC.

ROBERT BEAVER
 P.O. BOX 3362
 RENO, NEVADA 89505
 TELEPHONE: 702-356-9137
 FAX: 702-356-7048

FIELD OFFICE SLIDELL, LA
 TELEPHONE: 504-649-6805
 RESIDENCE: 504-649-6805
 MOBILE:
 FAX: 504-649-6805

SOIL PROCESSING SERVICE

FAX COVER SHEET

DATE	1/18/96
COMPANY	EPA
FAX PHONE#	214-665-7449
ATTENTION	CARLTON PATTON
SENT BY	ROBERT BEAVER
# PAGES (WITH COVER)	21
NOTES FAX AND PHONE THE SAME	
PHONE	504-649-6805.
HAVE A NICE DAY	
THANK YOU	
IF ANY OF THESE FAX COPIES ARE ILLEGIBLE OR YOU DO NOT RECEIVE THE SAME NUMBER OF PAGES AS STATED ABOVE PLEASE CONTACT US THANK YOU	