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State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
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MARK E. WEIDLER
SECRETARY

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DEPUTY SECRETARY

April 1, 1998

Richard Peck, Vice President
Housing Solutions
508 West Cordova
Santa Fe, New Mexico 87501

RE: Old Catholic Church Site
Solid Waste Management Unit 0-030(g)
Los Alamos National Laboratory

Dear Mr. Peck,

This is a response to your letter dated March 23, 1998 to the Hazardous and Radioactive Materials Bureau (HRMB) of the New Mexico Environment Department (NMED) regarding the Solid Waste Management Unit (SWMU) 0-030(g), the Old Catholic Church site. HRMB understands that Housing Solutions is potentially constructing a housing unit located at the Old Catholic Church site and approval of the RFI Report is important in proceeding with this project.

HRMB and EPA have reviewed the RFI Report and have several concerns including human health and ecological risk (see attached letters). The Department of Energy/Los Alamos National Laboratory have not provided information to support the conclusion that potential risk to human health is not a concern. Also, an ecological risk assessment is to be conducted to ensure protection of the environment. HRMB and DOE/LANL are currently working on an approach concerning ecological risk. A history of events regarding SWMU 0-030(g) is attached.

HRMB is not presently in the position to approve the RFI report until such time as the deficiencies are addressed by DOE/LANL. HRMB recommends that if housing is constructed at the site that DOE/LANL retain liability for corrective action of SWMU 0-030(g) and that any proposed occupants to any housing or other structures be apprised of the status of corrective action at the site.



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Mr. Richard Peck
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HRMB will discuss this issue with DOE/LANL in the near future. If you have any questions regarding this letter or additional concerns please call me at (505) 827-1557 or Mr. John Kieling at (505) 827-1558.

Sincerely,



Benito Garcia, Chief
Hazardous and Radioactive Materials Bureau

cc w/ attachments:

J. Canepa, LANL EM/ER, MS M992
R. Dinwiddie, NMED HRMB
J. Kieling, NMED HRMB
S. Kruse, NMED HRMB
H. LeDoux, DOE LAAO, MS A316
D. McInroy, LANL EM/ER, MS M992
D. Neleigh, EPA 6PD-N
J. Parker, NMED DOE OB
S. Yanicak, NMED DOE OB, MS J993
File: Reading and HSWA LANL 1/1071/0/0-030(g)
Track: LANL, 4/1/98, NA, Mr. Richard Peck, HRMB/Garcia, RE, file

ATTACHMENT A

RFI history of Operable Unit (OU) 1071 and SWMU 0-030(g). SWMU 0-030(g) is located within OU 1071.

- OU 1071 RCRA Facility Investigation Work Plan submitted by Department of Energy (DOE) on May 20, 1992
- Notice of Deficiency (NOD) on OU 1071 Work Plan was issued by EPA
- OU 1071 NOD Response submitted November 16, 1992 by DOE
- OU 1071 Work Plan approved by EPA January 6, 1993, DOE/LANL to begin implementation activities according to the schedule contained within the Work Plan
- RCRA Facility Investigation (RFI) Report for SWMU 0-030(g) was submitted by DOE/LANL on November 19, 1995, referenced by EM/ER: 95-522
- Notice of Deficiency (NOD) was issued on July 1, 1996 by HRMB (attached)
- Response to NOD was submitted by DOE/LANL on March 6, 1997, referenced by EM/ER: 97-046 (attached)
- Second NOD was drafted by the Environmental Protection Agency Regions 6, June 4, 1997, and forwarded to DOE/LANL February 9, 1998 (attached)