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**PETER MAGGIORE**  
SECRETARY

**Certified Mail**  
**Return Receipt Requested**

October 14, 1998

Mr. David A. Gurule, Area Manager  
Los Alamos Area Office  
Department of Energy  
528 35<sup>th</sup> Street, MS A100  
Los Alamos, New Mexico 87544

Dr. John C. Browne, Director  
Los Alamos National Laboratory  
P. O. box 1663, MS A100  
Los Alamos, New Mexico 87545

**Re: Response to LANLs August 25, 1998 correspondence regarding the VCA  
Completion Report for PRS 0-030(L), 0-030(M), and 0-033(A)**

Dear Mr. Gurule and Dr. Browne:

The RCRA Permits Management Program (RPMP) of the Hazardous and Radioactive Materials Bureau (HRMB) has reviewed DOE/LANL's August 25, 1998 (EM/ER:98-299) letter regarding the HRMB notice of deficiency (NOD) on the Voluntary Corrective Action Completion Report and Supplemental Information for Potential Release Sites 0-030(L), 0-030(M), and 0-033(a).

The issues raised in LANL's letter have been echoed as concerns raised in recent mid-manager's meetings and deserve attention. There is a recurring statement that LANL documents are being rejected because they do not meet the document format requirements outlined in the HRMB Standard Operating Procedures Manual that was presented to New Mexico RCRA facilities on March 4 and 5, 1988. This is not the case. Documents submitted for review before March 5, 1998 are evaluated on technical content not format. However, if a submittal is completely denied for technical incompleteness then a resubmittal using the new format is appropriate. Furthermore, there are a number of technical issues, such as background evaluations and risk assessment methodology which are unresolved to date and make it difficult to approve proposals.

In this particular report, an investigation was performed, evaluated, and presented by LANL as a voluntary corrective action without technical input by the state. The possibility of the facility



7038

7

Mr. Gurule, Dr. Browne  
October 14, 1998  
Page 2.

being required to perform more work as the result of analytical deficiencies and insufficient sampling, is a part of the risk taken by the facility when a voluntary corrective action is performed. Finally, it is understood that a new sampling and analysis plan (SAP) for these PRSs will be submitted prior to September 2001.

Should you have any questions regarding this letter, please contact me or Mr. John Kieling, HRMB's LANL Facility Manager, at (505) 827-1558.

Sincerely,



Benito J. Garcia, Chief  
Hazardous and Radioactive Materials Bureau

BJG:lw

CC w/ attachments:

J. Canepa, LANL EM/ER, MS M992  
J. Davis, NMED SWQB  
M. Johansen, DOE LAAO, MS A316  
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M. Kirsch, LANL EM/ER, MS M992  
L. Winn, NMED HRMB  
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D. Neleigh, EPA, 6PD-N  
J. Parker, NMED DOE OB  
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File: Reading and HSWA LANL 1/1071/0  
Track: LANL, 10/14/98, na, DOE/LANL, HRMB/Garcia, RE, File