

Los Alamos

NATIONAL LABORATORY

Los Alamos National Laboratory
Los Alamos, New Mexico 87545

Date: February 14, 2000
In Reply Refer To: ESH-18/WQ&H:00-0042
Mail Stop: K497
Telephone: (505) 665-4681



Mr. James Bearzi
Chief, Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo Street
P.O. Box 26110
Santa Fe, NM 87502

**SUBJECT: RESPONSE TO HAZARDOUS AND RADIOACTIVE MATERIALS
BUREAU NOVEMBER 30, 1999 LETTER**

Dear Mr. Bearzi:

This letter summarizes the understandings reached between Mr. John Young and Ms. Victoria Maranville of the Hazardous and Radioactive Materials Bureau (HRMB), Mr. Gene Turner with the Department of Energy (DOE), and Mr. Charles Nylander, Program Manager for the Los Alamos National Laboratory (Laboratory) Groundwater Protection Program during a meeting held on January 11, 2000. The purpose of this meeting was to discuss the issues raised in your letter dated November 30, 1999 (Attachment 1), which further addressed issues that had been the subject of previous correspondence dated August 20, 1999 and September 10, 1999. Please note, the meeting held on January 11, 2000 successfully resolved the aforementioned issues.

At the January 11, 2000 meeting a common understanding was reached on how the Hydrogeologic Workplan's annual drilling scope and schedule is developed. We agreed that each year during January, the proposed scope and schedule for the drilling program regarding the succeeding year is published in the draft Groundwater Annual Status Summary Report, and distributed to HRMB for review and comment. Then, the Annual Report becomes the "centerpiece" for an annual meeting between HRMB, LANL, DOE, and various stakeholders. [The Hydrogeologic Workplan states "An annual meeting will be held in March to perform a review and reassessment of DQOs and to negotiate the Workplan scope and schedule for the next year's well installation and other activities" (Section 1.2)]. We also resolved that the negotiated outcome of the annual meeting regarding scope and schedule should allow LANL adequate time to prepare detailed plans, budgets, contracts and permit documents between April and the end of September (while simultaneously implementing the current year scope/schedule), so as to begin the new work at the beginning of the next fiscal year in a timely manner. There was joint consensus that the term "scope" includes the number and identity of wells to be drilled in a fiscal year, while the term "schedule" refers to the sequential order of construction, and the calendar months during which the wells are drilled.

In summary, the negotiated drilling commitments for any fiscal year are contained within the Annual Meeting minutes that are formally issued after each annual meeting. For example, the FY99 drilling scope discussed at the Annual Meeting (March 29-31, 1999) was R-25, R-9, R-15, and R-31. The actual accomplishments for FY99 included continued work to complete R-25, completion

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of R-9, drilling and construction of R-15, and start drilling R-31. Although R-25 continued to present a construction problem, the other commitments for FY99 were fulfilled. Please refer to Attachment 2 for a comparison between the Hydrogeologic Workplan drilling scope and the changes in scope derived from quarterly and annual meetings.

By jointly discussing the issues on January 11th, we attempted to clarify previous difficulties in communication and interpretation. For example, prior to this meeting, HRMB did not consider that "scope" discussed at quarterly and annual Groundwater Integration Team (GIT) meetings was referring to the "wells to be drilled within the year". Rather, HRMB considered "scope" discussions to merely reflect month-to-month status updates, and relied on the original "scope" described in the Hydrogeologic Workplan. Our January 11th meeting was mutually beneficial in clarifying these interpretations, and should help us all avoid miscommunication and misunderstanding in the future.

We jointly acknowledged that in practice, the scope and schedule for wells is also discussed and modified at the GIT quarterly meetings, in addition to the planned scope and schedule discussed at the annual meeting. This provides four opportunities per year to adjust the scope and schedule of well drilling, although it was mutually recognized at our meeting on January 11th that the most efficient drilling implementation is derived from adhering to the annual meeting scope and schedule decisions, whenever possible.

The January 11th meeting participants agreed and resolved that it is important for HRMB to formally respond to the meeting minutes from the both quarterly and annual meetings, to indicate concurrence or nonconcurrence with any drilling scope and schedule amendments discussed. Although when compared to the original schedule in the Hydrogeologic Workplan dated May 22, 1998, the number and priority of characterization well installations may vary year-to-year as a result of negotiated changes, the Laboratory remains committed to complete all the Workplan drilling activities by the end of the seven year drilling schedule i.e. 2005.

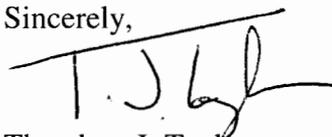
We look forward to continuing to work through any other issues that may arise, and appreciate your staff's efforts to jointly clarify communications and interpretations. If you have any questions regarding this letter, please call Charles Nylander at 665-4681.

Sincerely,



Charles L. Nylander
Program Manager
Water Quality and Hydrology Group

Sincerely,



Theodore J. Taylor
Program Manager, DOE/LAAO
Environmental Restoration Program

CN/tml

Attachments: a/s

Cy: J. Kieling, NMED HRMB, Santa Fe, NM, w/att.
J. Young, NMED HRMB, Santa Fe, NM, w/att.
P. Young, NMED HRMB, Santa Fe, NM, w/att.
J. Parker, NMED DOE-OB, Santa Fe, NM, w/att.
S. Yanicak, NMED DOE-OB, White Rock, NM, w/att.
G. Lewis, NMED WWMD, Santa Fe, NM, w/att.
J. Davis, NMED SWQB, Santa Fe, NM, w/att.
M. Leavitt, NMED GWQB, Santa Fe, NM, w/att.
D. Neleigh, EPA, 6PD-N, Dallas, TX, w/att.
J. Vozella, DOE LAAO, w/att., MS A316
T. Taylor, DOE LAAO, w/att., MS A316
J. Browne, DIR, w/att., MS A100
D. Erickson, ESH-DO, w/att., MS K491
M. Baker, E-DO, w/att., MS J591
J. Canepa, E-ER, w/att., MS M992
M. Kirsch, E-ER, w/att., MS M992
D. McInroy, E-ER, w/att., MS M992
WQ&H File, w/att., MS K497
CIC-10, w/att., MS A150



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo Street
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-1557
Fax (505) 827-1544



PETER MAGGIORE
SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

November 30, 1999

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

Theodore Taylor, Project Manager
Los Alamos Area Office-Department of Energy
528 35th Street, MS-A316
Los Alamos, New Mexico 87544

**RE: Response to Hazardous and Radioactive Materials Bureau August 20, 1999 Letters on Regional Characterization Wells Under the Hydrogeologic Workplan
Los Alamos National Laboratory
NM0890010515**

Dear Dr. Browne and Mr. Taylor:

This letter is in response to the September 10, 1999, Los Alamos National Laboratory (LANL) letter entitled *Response to Hazardous and Radioactive Materials Bureau August 20, 1999 Letters on Regional Characterization Wells Under the Hydrogeologic Workplan* (reference EM/ER:99-260). The response from LANL concerns two August 20, 1999, letters from the Hazardous and Radioactive Materials Bureau (HRMB) of the New Mexico Environment Department. One letter concerned the completion of regional aquifer wells R-9 and R-12, while the other letter responded to the information that we requested regarding R-25, and included comments regarding the June 23, 1999 Hydrogeologic Workplan Meeting Notes. I will address first LANL's response to my letter entitled *Completion of R-9 and R-15 Regional Characterization Wells at LANL* dated August 20, 1999.

The requirement that LANL submit a compliance schedule refers *only* to those regional characterization wells that at the time were partially complete (i.e., R-9, R-12, R-25 and R-15). At the time the letter was written, LANL had *not* completed a regional aquifer characterization well. The schedule as outlined in the HWP indicates that six to seven wells (R-9, R-12, R-25, R-7, R-22, R-18 and R-3) should have been completed (i.e., casing installed and the well developed according to RCRA guidance) by the end of Fiscal Year (FY) 1999. I therefore concluded that LANL was out of compliance with the approved HWP schedule.

We agree that well selection as part of the HWP should be iterative. Our support for this iterative process is underscored by our intent to introduce flexibility to the order of individual wells scheduled for completion in the HWP. However, the HWP has committed LANL to completing a certain number of regional characterization wells each year: five wells for FY98, two wells for FY99, six wells for FY00, etc. A drilling schedule for FY00 was recently presented at the Hydrogeologic Characterization Program Quarterly Meeting held October 13-15, 1999. The schedule listed nine wells that will be drilled and/or completed during FY00. Only seven of the wells, however, are part of the HWP drilling. We consider the number of regional characterization wells scheduled as the compliance schedule, not the specific wells or the order of drilling for this FY00. The schedule does not include R-25 and R-9 because these wells are to be completed by the end of this calendar year (1999).

The notification letter (dated August 11, 1999 and referenced by EM/ER:99-210) regarding the completion of regional aquifer well R-9 did *not* indicate that R-15 would be completed prior to demobilization to R-9. Furthermore, based on the schedule provided to HRMB in the aforementioned notification letter, we concluded that demobilization would occur prior to the completion of R-15 because at the time, drilling activities at R-15 were ongoing.

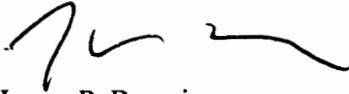
In reply to the LANL response to the letter regarding *Information Regarding R-25 well and Comments Regarding the June 23, 1999 Quarterly Groundwater Protection Program Meeting Notes, LANL (NM0890010515)*, we have the following comments.

We disagree with LANL's assertion that the contractors and subcontractors are *not* "apparently inexperienced." As LANL's own response to *Information Regarding R-25 Well* points out, the Barber rig is "relatively new" and the drilling contractor "... did not have experience with this technique." We recommend that the new drilling contract require that the drilling contractor be experienced in a variety of drilling techniques (including but not limited to, the Barber rig) in wide-ranging subsurface conditions.

We agree that "... well completion activities are more appropriately driven by regulatory requirements and that cost should not be the sole basis for drilling and well completion decisions." However, each time LANL exceeds a budget, other Environmental Restoration activities (e.g., interim measures, voluntary corrective actions) are affected. Although we are primarily concerned with the efficiency and timeliness of the drilling, cost becomes the concern of this agency under these circumstances.

LANL is urged to strongly consider our recommendations and concerns regarding the schedule and implementation of the Hydrogeologic Workplan. We are committed to working with LANL/DOE in order to more efficiently accomplish the goals of the HWP. Should you have any questions or comments regarding the clarifications discussed in this letter, please do not hesitate to call John Kieling of my staff at (505) 827-1558, extension 1012 or me at (505) 827-1567. A formal response is not required.

Sincerely,



James P. Bearzi
Chief
Hazardous and Radioactive Materials Bureau

JPB:jry

cc: J. Kieling, NMED HRMB
J. Young, NMED HRMB
P. Young, NMED HRMB
J. Parker, NMED DOE-OB
S. Yanicak, NMED DOE-OB, MS-J993
G. Lewis, NMED WWMD
J. Davis, NMED SWQB
M. Leavitt, NMED GWQB
D. Neleigh, EPA, 6PD-N
J. Vozella, DOE LAAO, MS-A316
C. Nylander, ESH-18, MS-K497
D. Erickson, ESH-DO, MS-K491
T. Baca, EM-DO, MS-J591
J. Canepa, LANL EM/ER, MS-M992
M. Kirsch, LANL EM/ER, MS-M992
D. McInroy, LANL EM/ER, MS-M992

File: LANL HSWA, G/M/S '99

Attachment 2
Comparison of Drilling Scope: Hydrogeologic Workplan Scope Versus Changes in
Scope Described at Quarterly and Annual Meetings

Document	FY98	FY99	FY00
Hydrogeologic Workplan (May 22, 1998)	R-9, R-12, R-7, R-25	R-3, R-5, R-18, R-22, R-28, R-31	R-15, R-27, R-10, R-32, R-2, R-1
Annual Meeting March 30, 1998	R-12, R-25	R-7, R-14	
Quarterly Meeting June 29, 1998	R-25,	R-5, R-7, R-14, R-15, R-31	
Quarterly Meeting October 27, 1998		R-5, R-15, R-25, R-31	
Quarterly Meeting February 9, 1999		R-25, R-9, R-15, R-31, (one of R-18, -19, 27)	R-5
Annual Meeting March 29-31, 1999		R-25, R-9, R-15, R-31	R-12
Quarterly Meeting June 23, 1999		R-25, R-15, R-31	R-9, R-12, R-19, R-27, R-5, R-28
Quarterly Meeting October 13-15, 1999			R-25, R-31, R-5, R-7, R-9, R-12, R-15, R-19, R-27
Actual (as of 1/2000)	R-9 drilled	R-12 drilled R-25 drilled R-15 drilled R-31 started R-9 completed	