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# Memorandum

**To:** Eliza Frank, Environmental Specialist, PMP, HWB  
**CC:** Steve Yanicak, PM1, DOE OB  
**From:** Mark V. Coffman, WRS III, DOE OB  
**Date:** 7/27/00  
**Re:** Review of Memorandum of Request for "No Longer Contained In" Determination for PRS 00-001, Mortandad Sediment Traps

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I reviewed this memorandum on the above date and also contacted yourself and conferred with you regarding the status of this request. You indicated that this request has been approved as written (please see attached draft of approval memorandum).

You further indicated that the USEPA Region 6 Human Health MSSLs (Medium-Specific Screening Levels) listed in the memorandum are derived from the study of industrial and/or sanitary landfill worker acceptable exposure level studies conducted by USEPA Region 6.

As mentioned in the request, the material will be buried on-site in the Low-Level Radioactive Waste Landfill if it is below all MSSLs for all the constituents in the soil. Otherwise, the soil will be shipped to a hazardous waste management facility for proper treatment or disposal.

While it is true that the levels at which the material will be landfilled on-site may be above the treatment standards for some of the listed wastes, two other factors apply in this instance: 1) RCRA states that if the source(s) of a hazardous constituent(s) in a contaminated media is unknown, then listings cannot apply (only characteristics may apply, therefore, soils should be tested for any characteristics, if applicable), and 2) it is within the jurisdiction of the agency to make a "No Longer Contained-In" determination based on the probable low risk of exposure.

You also indicated that soil contamination levels thus far noted in soils of this type from LANL have rarely been much above detection limits and well below the MSSLs. Additionally, in either scenario, the waste will be properly managed on-site or at a properly licensed treatment or disposal facility. Lastly, for all the reasons indicated above, the risk to public health and the environment is negligible. Therefore, I concur with HWBs approval of this determination.



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