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ENVIRONMENT DEPARTMENT



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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

October 25, 2005

John Ordaz
Asst. Mgr. for Environmental Stewardship
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

Ken Hargis
Environmental Stewardship Division Leader
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop M591
Los Alamos, NM 87545

**RE: THE DEPARTMENT OF ENERGY'S INTENT TO TRANSFER TRACT A-8
LOS ALAMOS NATIONAL LABORATORY (LANL), EPA ID #NM0890010515**

Dear Messrs. Ordaz and Hargis:

In a letter dated October 5, 2005, the New Mexico Environment Department (NMED) informed the Department of Energy (DOE) of its decision that the corrective measures performed on Tract A-8 were protective of human health and the environment in light of the Los Alamos School Board's (the "transferee") intended future use of the property. According to the transferee, intended uses may include commercial/industrial (warehouse, transportation facility, and maintenance) and possibly residential uses. The tract is located in TAs-0 and 21 and contains two solid waste management units (SWMU) and an area of concern. The tract is directly adjacent to the west and south of material disposal area (MDA) B (SWMU 21-015), one of the Laboratory's first land disposal areas.

The DOE and the University of California (collectively, the "Permittees") currently have an approved work plan to investigate and characterize the waste in MDA B. However, waste disposal practices over the lifetime of MDA B's operation are poorly documented. There are several disposal trenches that could have received waste containing perchlorate, solvents, spent



Messrs. Ordaz and Hargis

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Page 2

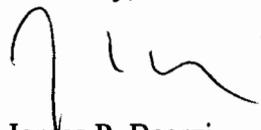
chemicals, corrosive gas, and radionuclides such as plutonium, polonium, uranium, americium, curium, and actinium. A fire in 1948 resulted in "minor explosions" and the release of a "cloud of pink gas". There is considerable uncertainty regarding the exact locations and boundaries of these trenches, especially on the western end of the MDA. In recent correspondence (phone call and e-mail dated October 19, 2005), a LANL representative expressed uncertainty concerning the accuracy of the geophysical survey used to delineate the boundary of MDA B because of the anomalies identified in the western portion close to the tract. The representative added that areas west of the buffer area require investigation because the survey was not performed in this area.

In the approved work plan, NMED required the Permittees to drill two deep (approximately 150 feet) boreholes to investigate the presence of groundwater and vadose zone contamination from organic vapors, liquids, and radionuclides. If subsurface contamination is encountered, a subsequent investigation will be required to determine the extent of such contamination. The work plan for MDA B was approved in a letter dated December 21, 2004. The Permittees have yet to initiate any field activities.

Due to the new information about the uncertainty of the geophysical survey and the need to investigate beyond the buffer area, NMED hereby withdraws its determination that corrective measures on Tract A-8 are protective of human health and the environment. MDA B may extend onto a portion of the tract, rendering it unacceptable for residential or other uses identified by the transferee. NMED requires the Permittees to complete any investigation and remediation activities at MDA B prior to the transfer of that portion of Tract A-8 that may be affected by MDA B.

Should you have any questions regarding this letter, please feel free to contact Darlene Goering of my staff at (505) 428-2542.

Sincerely,



James P. Bearzi

Chief

Hazardous Waste Bureau

cc: D. Goering, NMED HWB
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file: Reading and LANL: Land Transfer and TA-21 (SWMU 21-015)