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ENVIRONMENT DEPARTMENT



*Hazardous Waste Bureau*

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 4, 2008

David Gregory  
Federal Project Director  
Los Alamos Site Office  
DOE/NNSA  
528 35<sup>th</sup> Street, Mail Stop A316  
Los Alamos, NM 87544

David McInroy  
Remediation Services Deputy Project Director  
Los Alamos National Laboratory  
P.O. Box 1663, Mail Stop M992  
Los Alamos, NM 87545

**RE: NOTICE OF DISAPPROVAL  
WORK PLAN TO INVESTIGATE THE SOURCE OF POLYCHLORINATED  
BIPHENYLS AT LA-SMA-2  
LOS ALAMOS NATIONAL LABORATORY, EPA ID #NM0890010515  
HWB-LANL-06-014**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the U.S. Department of Energy and the Los Alamos National Security, LLC's (collectively, the "Permittees") *Plan to Investigate the Source of Polychlorinated Biphenyls at LA-SMA-2* (Plan), dated October 1, 2007 and referenced by EP2007-0589. NMED has reviewed the document and hereby issues this Notice of Disapproval (NOD). The Permittees must address the following comments in a revised Plan:

1. The Permittees propose to collect the required information under the characterization activities approved in the Investigation Work Plan for Upper Los Alamos Canyon Aggregate Area (dated April 2006 and referenced by LA-UR-06-2464 and ER-2006-



30022

0226). Although the Upper Los Alamos Canyon Aggregate Area Work Plan addresses characterization of specific solid waste management units (SWMUs), it does not address the NMED-required storm water monitoring component of the August 30, 2007 approval with direction. This is essential to ensure compliance with surface water regulations and Section VIII.C of the Consent Order, as the total polychlorinated biphenyl (PCB) concentrations being transported from the site (24.8 µg/L) are over 38,000 times the human health compliance criteria listed in 20.6.4 NMAC.

2. If storm water monitoring is being conducted under a different program, the Permittees may provide the monitoring schedule, procedures, analyte list and identify any constituents that have been detected thus far in storm water samples, but details of the monitoring program must nonetheless be provided in the response. The samples proposed for collection in addition to those in the *Investigation Work Plan for Upper Los Alamos Canyon Aggregate Area* are not depicted on the figure provided. The Permittees must revise the figure to include all proposed sampling locations relative to LA-(storm water management area (SMA)-2. The revised figure must also clearly indicate the location of LA-SMA-2 and the location of the storm water monitoring location(s). In addition, a figure must be provided that illustrates the location of all under ground utilities, active outfalls, stormwater outfalls and former outfalls.
3. The revised work plan must follow the format and content requirements for investigation work plans as defined in Section XI.B of the Consent Order.
4. The Permittees must include proposals for the collection and analysis of stormwater samples as part of the characterization efforts, as required by the August, 30 approval with direction. In addition to storm water samples, sediment and soil samples must be collected from the head of the drainage to below the fence at the LA-SMA-2 location. To ensure compliance with the Consent Order, the storm water samples must be analyzed for PCBs using method 1668A and include analyses for suspended sediment concentrations.
5. For soil and sediment samples, the Permittees must also conduct and report on particle-size analysis on all samples.
6. Any stormwater data collected at LA-SMA-2, or at other locations that may provide information on possible contaminant migration from this location and SWMU 01-001-(f), must also be included in the response to this NOD.
7. Because of the known PCB contamination at LA-SMA-2 and SWMU 01-001 (f), characterization of the alluvial fan and drainage located down gradient of the SWMU must be included in the plan so that any stabilization and/or remediation of contaminated sediments will be implemented prior to the upcoming monsoon season. Deferring characterization efforts to coincide with the Upper Los Alamos Canyon Aggregate work

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Plan only delays the characterization, remediation and stabilization of documented PCB contamination and migration and is not an acceptable approach.

In Order to expedite characterization and remedy selection, the Permittees must submit a revised work plan to NMED no later than March 30, 2008. Any proposed characterization must be initiated as soon as weather conditions permit and any remediation and other corrective measures must be proposed within 30 days of receipt of the characterization data to ensure compliance with Section VII.C of the Consent Order. All submittals must be in the form of two paper copies and one electronic copy in accordance with Section XI.A of the Consent order. Contact John Young at (505) 476-6038 should you have any questions.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

cc: J. Young, NMED HWB  
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file: Reading and LANL TA-0 (Los Alamos and Canyon)