

INTEROFFICE MEMORANDUM

TO: John Kieling
FROM: Darlene Goering-DYG
SUBJECT: PCB Cleanup at PRS 03-056(c)
DATE: 7/18/2000
CC: Neelam Dhawan

Neelam and I had a conference call today with Lou Roberts and Rich Mayer of EPA, Region 6. The reason for the call was multipurpose. Neelam and I had several questions regarding the proposed remediation and waste handling activities that will be performed at 03-056(c) in the near future. We also wanted to ensure that EPA was aware of the state's position on the proposed cleanup activities and of our intent to be fully involved during the cleanup process. Neelam and I were under the impression that the state had the authority over PCB sites and were providing regulatory input to LANL. However, Lou and Rich informed us that the EPA has jurisdiction over this site.

We were also informed that LANL did not have to adhere to the site-specific cleanup level of <1ppm if it were to use a risk-based method for remediation. This is contrary to the information that was provided to me and to Neelam regarding this site. As of today, LANL has notified the EPA of its intent to use a self-implementing on-site cleanup based on the <1 ppm standard and, if there is any remaining contamination, perform a risk assessment to show there is no unreasonable risk. However, this request combines options from 40 CFR 761.61(a) and (c), which is not allowed under TSCA. LANL can't request both. If the EPA denies this request, LANL will need to resubmit its notification of its intent to base site cleanup on its risk assessment (40 CFR 761.61(c)). According to Lou, LANL was told it could submit the results of its risk assessment to the EPA for approval.

The regulatory input provided to LANL regarding the cleanup options was incorrect. The EPA will notify LANL of the proper notification that will be needed to remediate this site properly, according to TSCA. However, NMED will continue to ensure that LANL is complying with applicable state regulations and is using HWB's PCB position paper for guidance.



5616

01/11/14/03-056(c)

LANL

HSWA

JK