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**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

January 7, 2000

Dr. John Browne, Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, New Mexico 87545

Mr. Theodore Taylor, Project Manager
Los Alamos Area Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, New Mexico 87544

RE: Contained-In Determination for the Interim Measure for Source-Term Removal at Solid Waste Management Unit 16-021(c)

Dear Dr. Browne and Mr. Taylor:

The New Mexico Environment Department's Hazardous and Radioactive Materials Bureau has reviewed Los Alamos National Laboratory's (LANL's) request for a "contained-in" determination for environmental media generated during the Interim Measure (IM) at SWMU 16-021(c). The "contained-in" determination is being requested for environmental media contaminated with low concentrations of F-listed hazardous waste, specifically toluene, acetone and trichloroethene. The environmental media consist primarily of soil, sediment and tuff that will be excavated during the IM at SWMU 16-021(c), including the 260 outfall and drainage areas. The Department evaluated the analytical and risk assessment data in accordance with current "contained-in" guidance to determine whether the environmental media to be excavated must be managed as F-listed hazardous waste.

The "contained-in" determination is based on conservative, health-based soil concentrations (i.e., US EPA Region 6 Human Health Medium-Specific Screening Levels) for direct exposure to an industrial receptor using a reasonable maximum exposure scenario. An industrial worker scenario is appropriate for this determination because the environmental media to be excavated will be properly disposed of in an engineered landfill, further reducing the risk to human health and the environment. Based on the information provided, the Department believes that the media to be excavated during the IM, which contain toluene, acetone and trichloroethene at concentrations below the health-based concentrations of 520, 5800 and 0.6 parts per million (ppm) respectively, will not need to be managed as F-listed hazardous waste. Note that

Approved by ER-RPF
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account for simultaneous exposure to the carcinogenic degradation products of trichloroethene, the health-based concentration for trichloroethene is one-tenth of the value proposed in LANL's request. The requested approval is granted if the excavated material (i.e., environmental media) is managed as solid waste that will be properly disposed of in a Subtitle D engineered facility as specified in the request letter. Any material with hazardous constituents in concentrations equal to or greater than the proposed health-based concentrations specified above shall be managed as F-listed hazardous waste.

This "contained-in" determination is limited to only the three contaminants mentioned, the contaminated environmental media for which the data and assessment were submitted and reviewed and the activities conducted during this IM. The waste must be managed in the manner described above.

If you have any questions regarding this "contained-in" determination, please contact John Kieling at (505) 827-1558 extension 1012 or Eliza Frank at extension 1048.

Sincerely,



James P. Bearzi
Chief
Hazardous and Radioactive Materials Bureau

JPB:caf

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