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May 22, 1997

Elizabeth R. Withers
NEPA Compliance Officer
Office of Environment and Projects
Department of Energy
Albuquerque Operations Office
Los Alamos Area Office
Los Alamos, N.M. 87544

RECEIVED

MAY 23 1997

DOE OVERSIGHT BUREAU

Dear Ms. Withers:

RE: CONCURRENCE DRAFT OF MITIGATION ACTION PLAN ANNUAL REPORT FOR THE DUAL AXIS RADIOGRAPHIC HYDRODYNAMIC TEST FACILITY (FY 1996 THROUGH THE FIRST HALF OF FY 1997), LOS ALAMOS NATIONAL LABORATORY, LOS ALAMOS, NEW MEXICO; PREPARED BY DEPARTMENT OF ENERGY, LOS ALAMOS AREA OFFICE, MAY 1, 1997

The following provides New Mexico Environment Department (NMED) staff comments concerning the above-referenced Concurrence Draft of the Annual Report for the Mitigation Action Plan (MAP) for the Dual Axis Radiographic Hydrodynamic Test Facility (DARHT).

This Mitigation Action Plan Annual Report (MAPAR) has been prepared by the U.S. Department of Energy (DOE) as part of implementing MAP. The report provides a status on specific facility design and construction related mitigation actions that have been initiated to fulfill DOE's commitments under the DARHT MAP. The first official DARHT MAPAR is due on March 1, 1998 for fiscal year (FY) 1997. This MAPAR is being provided in advance of the first official due date as an opportunity for the public and LANL stakeholders to provide comments regarding the document format, content, and scope. Although the report appears to be generally adequate for its intended purpose, it fails to address a number of issues, as mentioned below.

First we should stress that the annual reports of more significance to NMED will be those generated after operations begin at DARHT. Toxic and radioactive materials could be released to the general environment, for example, through such mechanisms as a structural failure of containment vessels or during open air firing operations, release of various types of waste as a result of cleaning out the containment vessels, release of various hazardous materials as a result of spills within the DARHT facility, and release of hazardous levels of various substances as a result of discharges of contaminated water from the DARHT facility.

DARHT / Non-HS / Reg / Withers



4182

Elizabeth R. Withers
May 22, 1997
Page 2

One concern we have regarding this particular report and the MAP is whether the funding is available to fulfill the commitments described in the DARHT MAP. The report provides no substantive information to stakeholders on funding levels.

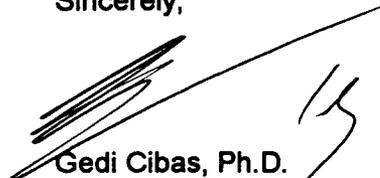
Another matter of concern relates to actual and perceived objective and effective monitoring. The document indicates the presence of no mechanism for independent, non-biased parties to monitor mitigation activities.

The MAPAR does not address any air quality issues. In particular, there is no mention on how the facility will achieve compliance with 40 CFR part 61 subpart H "National Emission Standards for Emissions of Radionuclides Other Than Radon From Department of Energy Facilities".

Finally, as we noted in an earlier review of DARHT's Draft Environmental Impact Statement, its operations have the potential to impact ground water quality. The MAPAR, however, addresses only surface water quality. We recommend that it also include consideration of ground water quality. Baseline ground water quality should be monitored to ensure that potential releases from the DARHT facility do not adversely affect it. To the extent that this is being done, per DARHT's Final Environmental Impact Statement, the aforementioned concerns would be satisfied.

We appreciate the opportunity to review this document. Please let us know if you have any questions.

Sincerely,



Gedi Cibas, Ph.D.
Environmental Impact Review Coordinator

NMED File No. 1091ER