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**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

May 24, 2007

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

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

**RE: NOTICE OF DISAPPROVAL  
REMEDY COMPLETION REPORT FOR THE INVESTIGATION AND  
REMEDICATION OF AREA OF CONCERN 16-024(v) AND SOLID WASTE  
MANAGEMENT UNITS 16-026(r) AND 16-031(f) AT TECHNICAL AREA 16  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID #NM0890010515  
HWB-LANL-07-004**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy and the Los Alamos National Security, LLC (collectively, the "Permittees") document entitled *Remedy Completion Report for the Investigation and Remediation of Area of Concern 16-024(v) and Solid Waste Management Units 16-026(r) and 16-031(f) at Technical Area 16* (Report) dated March 9, 2007 and referenced by LA-UR-07-1157/EP 2007-0104. NMED has reviewed the Report and hereby issues this notice of disapproval with the following requirements for revisions.



12716

**Comments:**

1. General Comment:

**NMED Comment:** Groundwater was not evaluated in the human risk assessment and rationale was not provided for excluding the medium from further evaluation. The ecological risk assessment includes rationale for excluding groundwater as a medium of concern based on the depth to groundwater and the absence of a hydraulic driver. To be complete, the human risk assessment should include a discussion of the rationale for the exclusion of groundwater as a potential medium of concern. The Permittees must revise the text as part of a revised report.

2. Section 4.1.3.3 Spatial Distribution of COPCs at SWMU 16-026(r), pg. 19:

**NMED Comment:** The Permittees have concluded that “[b]ased on visual observations during ACA activities (corroded lines and gravel/asphalt in the roof drainline), the sampling results, and the distribution of the contaminants, the contamination encountered is from the asphalt-paved area, the flat composite tar-and-gravel roof, and the active roof drain and not from SWMU 16-026(r).” In addition, the Permittees are requesting the SWMU be granted a certificate of completion and approved as corrective action complete without controls.

Location 16-26980 is located at the discharge end of the roof drainline. The remaining contamination at location 16-26980 contains constituents that are above the industrial and residential soil screening levels (benzo(a)anthracene, benzo(a)pyrene, and benzo(b)fluoranthene). It is possible the discharge area received runoff from the roof and the oil/water separator drainlines. In order to receive a corrective action complete without controls for SWMU 16-026(r), the Permittees must define the extent of contamination at the discharge location both vertically and laterally, and remediate the area to residential cleanup levels. Alternately, the Permittees may separate the discharge area from the rest of the SWMU and submit notice to the NMED for a newly-identified SWMU. The additional work may be performed and reported as part of the Cañon de Valle Aggregate Area investigation.

3. Section E.1.0 Human Health Screening Assessment, Page E-1:

**NMED Comment:** This section provides a brief overview of the receptors that were included in the risk evaluation as well as identification of receptors that were excluded from the analysis; however, the rationale for inclusion or exclusion of a receptor group is unclear. The industrial scenario was not evaluated for AOC 16-024(v) because this area has been excavated to a depth of approximately 8 feet and covered with clean fill. However, a construction worker scenario is included without basis. The Permittees must include justification for including a construction worker for further evaluation. Also, it is understood that the residential scenario is not a decision scenario for the determination of further investigation or corrective action; however, this scenario is evaluated so that NMED can determine the need for land use restrictions. The Permittees must

Messrs. Gregory and McInroy  
May 24, 2007  
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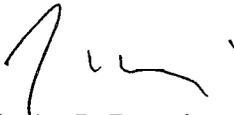
clarify that the residential scenario is included in the evaluation to determine the need for land use restrictions.

4. E-1.1 Screening Evaluation, SWMU 16-026(r), Page E-3:

**NMED Comment:** The third paragraph of this section indicates that the low detections of Total Petroleum Hydrocarbon-Gasoline Range Organics (TPH-GRO) are not indicative of a release of gasoline. Low detections are not sufficient justification for determining the lack of a release. Although NMED has not established soil screening levels (SSLs) for TPH-GRO, the samples were analyzed for volatile organic compounds (VOCs) which would include gasoline constituents such as benzene, ethylbenzene, toluene, and xylenes (BTEX). The Permittees must remove the last sentence from the third paragraph and provide information that clearly supports the conclusion that a release of gasoline is not apparent due to the absence of detection of BTEX or detection of BTEX below SSLs.

The Permittees must address these comments in a revised report within 21 days of receipt of this letter. 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. Should you have any questions regarding this letter, please contact Darlene Goering of my staff at (505) 476-6042.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:dxg

cc: D. Goering, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
L. King, EPA 6PD-N  
G. Rael, DOE LASO, MS A316  
file: Reading and LANL TA-3 '07