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TA16

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

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RON CURRY  
Secretary

JON GOLDSTEIN  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

April 4, 2008

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: APPROVAL OF "CONTAINED-IN" DETERMINATION REQUEST FOR  
INTERMEDIATE GROUNDWATER COLLECTED DURING QUARTERLY  
SAMPLING AT CDV-16-2(i)r AT TECHNICAL AREA 16  
LOS ALAMOS NATIONAL LABORATORY, EPA ID #NM0890010515**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has reviewed the Department of Energy and the Los Alamos National Security, LLC's (collectively, the Permittees) document titled *Request for "Contained-in" Determination for Intermediate Groundwater Collected during the Quarterly Sampling of Monitoring Well CdV-16-2(i)r within Technical Area 16* (dated January 30, 2008 and referenced by ENV-RCRA-08- 023).

The Permittees provide a comparison of the maximum detected concentrations of potential F-listed organic constituents with WQCC standards, EPA MCLs, Land Disposal Restrictions as specified in 40 CFR 268.40, the New Mexico Soil Screening Levels (SSLs) and the Environmental Protection Agency (EPA) Region 6 screening levels for tap water. Analytical results demonstrate that concentrations of the identified constituents, except for the high explosive compound RDX, are below applicable regulatory and screening levels. The data indicate that the waste is not a characteristic hazardous waste as defined in 40 CFR 261.21 through 261.23. Based on the information provided, NMED has determined that the environmental media and debris does not need to be managed as hazardous waste; however, the purged groundwater must meet all requirements of waste acceptance criteria (WAC) for the high explosives waste treatment facility (HEWTF) prior to being sent to the facility for treatment. If



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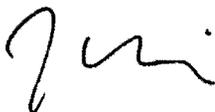
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the purge water does not meet the HEWTF WAC, it must be managed as hazardous waste and sent to an appropriately permitted facility for treatment and disposal.

NMED hereby grants the Permittees' request that the purge water, decontamination fluid, and contact waste be managed as non-hazardous. Additionally, purge water, decontamination fluids, and contact waste collected during the March 2008 quarterly sampling round at CdV-16-2(i)r) may be managed as non-hazardous water if the purge water meets the WAC for the HEWTF, the maximum contaminant concentrations detected are less than less than the levels identified in the January 30, 2008 "contained-in" request, and there are no new constituents detected in the purge water. If any new constituents are identified or contaminant concentrations are observed at higher concentrations than those indicated in this request, a new request must be submitted to NMED for approval prior to disposal.

If you have any questions regarding this letter, please contact John Young of my staff at (505) 476-6038.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

cc:

J. Young NMED HWB  
D. Cobrain, NMED HWB  
L. King, EPA 6PD-N  
G. Rael, DOE LASO, MS A316  
V. George, LANS ENVP-DO MS J978  
A. Grieggs, ENV-RCRA, MS K490  
G. Turner, LASO/EO, MS A316  
file: Reading and LANL TA-16 '07