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**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

December 31, 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 Project Director  
Los Alamos National Laboratory  
P.O. Box 1663, MS M992  
Los Alamos, NM 87545

**RE: APPROVAL WITH MODIFICATIONS  
SUPPLEMENTAL INVESTIGATION WORK PLAN FOR  
CONSOLIDATED UNITS 16-007(a)-99 AND 16-008(a)-99 AT TECHNICAL  
AREA 16  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID #NM0890010515  
HWB-LANL-07-038**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security, LLC (LANS) (collectively, the Permittees) *Supplemental Investigation Work Plan for Consolidated units 16-007(a)-99 and 16-008(a)-99 at Technical Area 16 (IWP)*, dated November, 2008 and referenced by LA-UR-08-6892/EP2008-0550. NMED has reviewed the document and hereby issues this Approval with following modifications:

**1. Table 3.0-1, Proposed Sampling and Analysis for Consolidated Units 16-007(a)-99 and 16-008(a)-99, page 31:**

The Permittees propose to remove soil from location 16-23739 (consolidated unit (CU) 16-007(a)-99) and collect confirmatory samples as a best management practice because of elevated concentrations of high explosives (HE) detected at this location during previous investigations. The Permittees propose to analyze these samples only for explosive



compounds. Various inorganic chemicals were also detected above background levels both at and near this location during previous investigations. Although the extent of contamination was defined during previous investigations, excavation activities may result in removal of some of the previous sampling locations. The Permittees must analyze the confirmatory samples for inorganic chemicals in addition to HE to determine the residual contamination concentrations at this location.

**2. Table 3.0-1, Proposed Sampling and Analysis for Consolidated Units 16-007(a)-99 and 16-008(a)-99, page 31:**

Similarly, the Permittees propose to remove soil near location 16-02384 (CU 16-008(a)-99), where elevated concentrations of hexavalent chromium were detected. The Permittees propose to analyze these samples only for hexavalent chromium. HE and inorganic chemicals were also detected above background levels in samples collected from the proposed excavation area during previous investigations. Although the extent of contamination has been defined for inorganic chemicals and HE, soil excavation may result in removal of some of the previous sampling locations. Therefore, the Permittees must include analysis of inorganic metals and HE in addition to hexavalent chromium for confirmatory samples to determine residual contamination concentrations at this location.

The Permittees must submit the Supplemental Investigation Report by January 7, 2010. All submittals must be in the form of two paper copies and one electronic copy in accordance with Section XI.A of the Order.

NMED has also received the *Proof of Inspection of Erosion Controls in Drainages to the 90s Line Pond* dated November 30, 2008 (referenced by EP2008-0612). The Permittees must continue to conduct annual inspections and submit the proof of maintenance of erosion controls in the drainages to 90s Line Pond every year by November 30<sup>th</sup>. Please contact Neelam Dhawan of my staff at (505) 476-6042 should you have any questions.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB  
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