

TA 16



GARY E. JOHNSON
GOVERNOR

**State of New Mexico
ENVIRONMENT DEPARTMENT**

**Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Telephone (505) 428-2500**

**Fax (505) 428-2567
www.nmenv.state.nm.us**



PETER MAGGIORE
SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

April 10, 2002

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

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

**RE: REPONSE TO MATERIAL DISPOSAL AREA P (MDA P) REQUEST FOR
CLASS 1 CLOSURE PLAN MODIFICATION
LOS ALAMOS NATIONAL LABORATORY
EPA ID # NM0890010515
TASK NUMBER HWB-LANL-01-030**

Dear Dr. Browne and Mr. Johansen:

The Hazardous Waste Bureau (HWB) of the New Mexico Environment Department (NMED) has reviewed the Los Alamos National Laboratory's (LANL) document entitled "Submittal of Class 1 Closure Plan Modification for MDA P," dated December 20, 2001 (referenced by ER2001-1048). Based on review of the proposed Class 1 Closure Plan Modification (closure modification), HWB believes revisions are necessary to reflect current site conditions. HWB requires LANL to make the changes outlined below and submit a revised closure modification to HWB for MDA P by May 13, 2002.

The following items outline changes for the revised closure modification submittal.

1. The revised closure schedule shall contain dates for completion of all field activities, ecological risk assessment, and site restoration at MDA P. Submittal of the closure report



6349

to HWB within 90 days of completion of field activities must be included in the schedule.

2. LANL shall correct the bulleted items on page 6-9 of the closure modification to reflect the actual HWB approval process for the sampling and analyses plan (SAP). Corrections shall include dates additional information was submitted to HWB (August 10, 2000 and April 26, 2001) to supplement the SAP prior to approval on June 7, 2001.
3. Additional soil removal and confirmation sampling has been conducted at MDA P following submittal of the closure modification. HWB is requiring pages 1-8 and 4-3 be revised to reflect the actual amount of media removed from MDA P. Revisions to the removed waste volumes shall be submitted once confirmation sample results indicate additional removal activities will not be required. In addition, Table 4-2, Summary of Samples and Analyses (page 4-17) shall be revised and resubmitted to reflect additional sampling that may have been conducted at the site.
4. Page 1-2 of the modification request corrects a typographical error in the approved closure plan for MDA P. This page may be resubmitted with the revised closure plan modification.
5. HWB recognizes that a closure time frame extension is necessary for compliance with Resource Conservation Recovery Act (RCRA) Regulation 265.113(c). The December 20, 2001 closure modification submitted to HWB requests an extension of the 90-day and 180-day closure time frames. The extensions, if approved, would extend the closure time frame until October 2002. HWB does not believe the proposed extension would provide LANL sufficient time to complete closure activities at MDA P for the following reasons. The approved closure plan deferred ecological risk assessment until completion of phase II sampling activities at MDA P and confirmatory sampling is currently ongoing. Solid waste management unit (SWMU) 16-006(e), a septic tank and outfall pipe, located in an area directly influenced by waste disposal activities at MDA P, may require additional characterization and/or removal prior to closure of MDA P. SWMU 16-006(e) is identified on page 1-2 of the approved MDA P closure plan as an area that is subject to the requirements outlined in the closure plan. LANL should submit a revised closure schedule (in accordance with 20 NMAC 4.1, Section 265.113[c]).

A revised closure schedule and replacement pages must be submitted to HWB by May 13, 2002. If LANL determines the proposed deadline of October 2002 remains achievable, HWB will approve the requested extension for completion of all field activities and submittal of the closure report to HWB for review. However, HWB will not grant additional time extensions for MDA P closure after approval if LANL later determines the October 2002 timeframe cannot be achieved.

Dr. John Browne and Mr. Mat Johansen
April 10, 2002
Page 3

If you have any questions or concerns regarding MDA P and the required revisions to the Class 1 Closure Plan modification, please contact me at (505) 428-2538 or Vickie Maranville at (505) 428-2546.

Sincerely,



John Young
Corrective Action Project Leader
Permits Management Program

JY:vm

Cc: J. Davis, NMED SWQB
M. Leavitt, NMED GWQB
V. Maranville, NMED HWB
J. Parker, NMED DOE OB
C. Will, NMED HWB
S. Yanicak, NMED DOE OB
L. King, EPA 6PD-N
W. Woodworth, DOE LAAO, MS A316
K. Bostick, LANL EES-15, MS M992
J. Canepa, LANL E/ER, MS M992
J. Ellvinger, LANL ESH-19, MS K490
M. Kirsch, LANL E/ER, MS M992
D. McInroy, LANL E/ER, MS M992
File: Reading and LANL TA-16 [MDA-P (SWMU 16-018) and SWMUs 16-010(a,b), 16-016(c), and 16-006(e)]