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16-01(b)  
16-01(c) 09**Subject: MDA P****Date:** Wed, 28 May 2003 15:10:42 -0600**From:** Vickie Maranville <vickie\_maranville@nmenv.state.nm.us>**To:** dgregory@doeal.gov, Dave McInroy <mcinroy@lanl.gov>**CC:** John Young <john\_young@nmenv.state.nm.us>, David Cobrain <david\_cobrain@nmenv.state.nm.us>, Vickie Maranville <vickie\_maranville@nmenv.state.nm.us>

NMED has reviewed the MDA P Closure Certification Report (Report) and has meet with DOE (Woody) and LANL (Bill Criswell, Kelly VanDerpoel, and Ken Bostick) to discuss the Report. During the meeting NMED stated concerns regarding content of the Report. NMED does not believe the Report as submitted demonstrates clean closure equivalency or that post-closure care is not needed at MDA P and notified the Permittees in writing on April 30, 2003. NMED required the Annexes (Annex I, II, and III) be submitted to NMED individually in accordance with the NMED letter dated April 30, 2003. NMED also required, in accordance with RCRA and NMAC (see letter for citations), the final Closure Report be revised to include a clear demonstration that clean closure equivalency has been achieved, the site does not pose an unacceptable risk to human health and the environment, and that post closure care should not be required. The Report as submitted, and as was discussed with the Permittees, is confusing and NMED cannot make a determination regarding risk as it is not clear that objectives as outlined in the Closure Plan have been achieved. Please let me know if you have any questions or require further clarification. I will be in the office on monday and tuesday of next week and will be on vacation until June 30, 2003.

Vickie

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