

TA-16 MDA P
SWMU's 16-018
16-010(6)
16-016(c)-99

Subject: RE: MDA P Closure Certification Report

Date: Wed, 28 May 2003 17:11:33 -0600

From: "Gregory, David R." <dgregory@doeal.gov>

To: "Vickie Maranville" <vickie_maranville@nmenv.state.nm.us>

CC: "Le-Doux, Herman" <hledoux@doeal.gov>, "John Young" <john_young@nmenv.state.nm.us>, "David Cobrain" <david_cobrain@nmenv.state.nm.us>, "bramsey%lanl.gov@internet.al.gov" <bramsey@lanl.gov>, "Deborah Woitte" <dwoitte@lanl.gov>, "Vozella, Joseph" <jvozzella@doeal.gov>, "bcriswell%lanl.gov@internet.al.gov" <bcriswell@lanl.gov>, "Woodworth, Lance A." <lwoodworth@doeal.gov>, "Dave McInroy" <mcinroy@lanl.gov>, "Gregory, David R." <dgregory@doeal.gov>, "Rael, George" <grael@doeal.gov>, "Osheim, Elizabeth L." <bosheim@doeal.gov>

Vickie:

Thanks for the update.

>From our conversation this afternoon we are in agreement with a path forward that will include:

* The three annexes will be submitted as stand-alone documents. NMED will review and provide informal comments for incorporation. The purpose being to avoid separate RSI processes.

* The Closure report will be strengthened such that it makes a stronger case for risk-based clean closure. Risk analysis will be condensed into the closure report and not presented separately in the the annexes.

* This effort will be in the spirit of a high performing team with NMED as a member, willing and prepared to assist in incorporation of revisions and or rewrites of the Closure Certification Report.

Based on our conversation today, and earlier conversations between NMED, DOE (Woodworth) and RRES (Criswell, McInroy et. al), and the agreements made as a result of those conversations, RRES and DOE will meet the dates for submission of the three annex reports as shown in your April 30, 2003 memo. If the date for delivery of the closure report can not be met due to review/comment durations, or if additional and substantial changes are required then a formal request will be submitted to NMED for an extension to the October date.

Let me know if this does not capture our path forward.

Thanks
David Gregory

-----Original Message-----

From: Vickie Maranville
[mailto:vickie_maranville@nmenv.state.nm.us@internet.al.gov]
Sent: Wednesday, May 28, 2003 3:11 PM
To: Gregory, David R.; Dave McInroy
Cc: John Young; David Cobrain; Vickie Maranville
Subject: MDA P

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