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TA 16



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**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

February 16, 2005

David Gregory, Federal Project Director
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

G. Pete Nanos, Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, NM 87545

**RE: RESIDUAL DIESEL CONTAMINATION AT TA-16-7, REQUEST FOR
CLOSURE UNDER NMWQCC REGULATIONS
LOS ALAMOS NATIONAL LABORATORY,
EPA ID #NM0890010515**

Messrs. Gregory and Nanos:

The New Mexico Environment Department (NMED) is in receipt of the Residual Diesel Contamination at TA-16-7, Request for Closure Under NMWQCC Regulations document, dated April 7, 2004 and referred to by RRES-WQH: 04-046. NMED has reviewed this document and cannot grant closure of this site under NMWQCC Regulations. The NMED, Hazardous Waste Bureau will not agree to close the diesel release at TA-16-7 under the New Mexico Water Quality Control Commission (NMWQCC) Regulations (20 NMAC 6.2.1203), as additional sampling and analysis is required to determine the nature and extent of the contamination.

The NMED has requested additional information be provided and that additional sampling and analysis be completed to determine nature and extent of the contamination at Building TA-16-7. Following this additional work and submittal of results, NMED will make a determination and identify whether any further investigation, assessment, or remediation is needed.

The Department of Energy and the Regents of the University of California (Collectively the "Permittees") must submit an Accelerated Corrective Action (ACA) Work Plan in accordance with Section VII.F of the proposed Consent Order, outlining additional characterization needs



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within thirty (30) days of receipt of this letter.

NMED has the following comments regarding the content of the April 7, 2004 document.

General Comments:

1. A map showing a general site plan, the location of the excavation in relation to other buildings, and preliminary sample locations must be provided in the ACA work plan to be submitted.

Specific Comments:

1. Enclosure 2: Results of Investigation of Petroleum Contaminated Soil Adjacent to Building 16-7 and Technical Area 16:

Permittees' Statement: "On September 30, 2003, RRES-ECR, RRES-WQH, and RRES-SWRC proposed the following approach for the initial characterization of the petroleum-contaminated soil discovered in the excavation adjacent to Building 16-7:

- One grab sample would be collected from the bottom/center of the excavation and submitted for analysis of VOC's, SVOC's, plus a duplicate, BTEX, TPH-DRO, TAL metals and HE
- One grab sample would be collected from either a biased location (i.e. stained soil within the excavation) from the bottom/western end of the excavation and submitted for analysis of VOC's, SVOC's, BTEX, TPH-DRO, TAL metals and HE.
- One grab sample would be collected from the middle of the excavated soil pile with the most visible or obvious contamination and submitted for analysis of VOC's, SVOC's, and HE."

NMED Comment: The Permittees did not collect a sufficient number of samples to determine the nature and extent of the diesel contamination adjacent to Building TA-16-7. Samples must be collected within and along the edge of the excavation, under the trench at a minimum of two depths to determine vertical extent, as well as in areas immediately surrounding the trench where the contamination was found in order to determine lateral extent. Furthermore, NMED cannot establish where samples were initially collected unless a map showing the excavation and sample locations is provided (see General Comment #2). Refer to Section IX of the proposed Consent Order for details on investigation and sampling methods and procedures.

2. Enclosure 2: Data Review, page 3, paragraph 1:

Permittees' Statement: "The most likely source of the metals is metal chips generated from the waterline disconnection activities involving cutting and subsequent repair of the waterline within the excavation."

NMED Comment: The NMED does not agree with this assertion. Even though the Permittees claim the most likely source of metals is metal chips from waterline disconnection activities, there is a strong possibility that the metal detections are related to the contaminant release(s) at the site. Given this, the Permittees are required to determine the vertical and horizontal extent of the metals contamination detected above background values with additional sampling or provide evidence that the source of the detected metals is indeed from the waterline disconnection activities.

3. Enclosure 2, Data Review, page 3, paragraph 2:

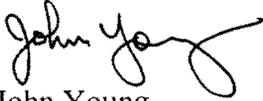
Permittees' Statement: "The only known sites of historical diesel fuel usage in the vicinity of the excavation are AOC's C-16-030 and C-16-031."

NMED Comment: According to the July 1994, RFI Work Plan for OU 1082, Addendum 1, Chapter 5- Evaluation of Potential Release Site Aggregates, page 5-423, paragraph 1, Building TA-16-7 was a Steam Plant from 1944 (when it was first constructed) until the early 1950's. It is currently a storage building. The Permittees must provide proof that no diesel fuel was used when the steam plant was operational.

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If contamination is not remediated to residential levels, this site will be added to the Permittees Operating Permit, per Section III.W of the proposed Consent Order. Should you have any questions, please contact Kathryn Chamberlain at (505) 428-2546.

Sincerely,



John Young
Geologist
Hazardous Waste Bureau

JY: kc

cc: J. Young, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
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file: Reading and LANL TA-16 '05[C-16-030, C-16-031]