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TA 16



RON CURRY
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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June 17, 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: NOTICE OF DISAPPROVAL FOR THE INVESTIGATION WORK PLAN FOR CONSOLIDATED SOLID WASTE MANAGEMENT UNITS 16-007(A)-99 (30s LINE) and 16-008(A)-99 (90s LINE) AT TECHNICAL AREA 16 LOS ALAMOS NATIONAL LABORATORY (LANL), EPA ID #NM0890010515 HWB-LANL-05-004

Messrs. Gregory and Nanos:

The New Mexico Environment Department (NMED) has received and reviewed the United States Department of Energy and the Regents of the University of California's (collectively the Permittees) *Investigation Work Plan for Consolidated Solid Waste Management Units 16-007(a)-99 (30s Line) and 16-008(a)-99 (90s Line) at Technical Area 16*, dated March 31, 2005 and referenced by LA-UR-05-1694 and ER2005-0126. NMED hereby issues this Notice of Disapproval of the aforementioned Work Plan. The Permittees must respond to all comments as outlined in this letter within thirty (30) days of receipt of this letter.



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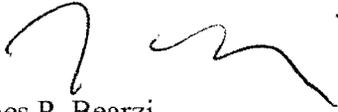
Messrs. Gregory and Nanos

June 17, 2005

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Please contact Neelam Dhawan at (505) 428-2540 should you have any questions.

Sincerely,



James P. Bearzi

Chief

Hazardous Waste Bureau

JPB:nd

cc:

N. Dhawan, NMED HWB

D. Cobrain, NMED HWB

D. Pepe, NMED DOE OB

S. Yanicak, NMED DOE OB, MS J993

L. King, EPA 6PD-N

J. Vozella, DOE LASO, MS A316

K. Hargis, LANL RRES/DO, MS M591

N. Quintana, LANL E/ER, MS M992

D. McInroy, LANL E/ER, MS M992

file: Reading and LANL '05 TA 16 (SWMUs; 16-007(a)-99 and 16-008(a)-99)

Comments:

1. Section 2.1.1, Consolidated SWMU 16-007(a)-99, page 3:

Solid waste management unit (SWMU) 16-024(c) is not listed as a SWMU on any of the Tables A, B and C of the Hazardous and Solid Waste Amendments (HSWA) Module of the Los Alamos National Laboratory (LANL) Permit. There are several places in the document where it has been referred to as a SWMU. The Permittees must clarify if it is a SWMU or an area of concern (AOC). If it is a SWMU, provide documentation of when it was designated a SWMU.

2. Section 2.3.2, TA 16-99 Area, page 6:

The investigation work plan states that AOC C-16-066 is administratively complete. Clarify the meaning of the term 'administratively complete.' The term is used a number of times in the document.

3. Section 4.2.3.3, Intermediate-Depth Boreholes, page 27 and Figure 4.2-2b, page 54:

Additional analytical samples should also be collected at the soil/tuff interface in boreholes drilled in the ponds.

4. Section 4.2.5, Site Restoration Decontamination, and Demobilization, page 29, and Appendix D, page D-3:

NMED does not approve the Permittees' plan for handling Investigation Derived Waste (IDW). Specifically, the Permittees may not return drill cuttings, decontamination water, or other IDW to their point of origin. Rather, the Permittees must contain all IDW, and characterize it to ensure proper handling, including but not limited to, final disposal in accordance with Sections IX.B.2.b.iv and IX.B.5 of the Order.

Regardless of whether or not the waste is RCRA hazardous or low-level only, the Permittees may not return environmental media to the point of origin because, by doing so, the Permittees will change the hydraulic characteristics of the unit(s) and may provide a conduit for contaminant migration. All boreholes must be properly plugged and abandoned in accordance with Section X.D of the Order as stated in Section IX.B.2.b.iv of the Order. It should be noted that a letter addressing a similar issue that arose during the review of Delta Prime Site Aggregate Area Workplan was sent to the Permittees on May 26, 2005.

Drill cuttings, purge and decontamination water, personal protective equipment (PPE), and all other IDW must be containerized and characterized prior to disposal. Each container of waste generated must be properly labeled immediately following containerization. All IDW must be sampled and analyzed for contaminants that are suspected or detected prior to or during investigation activities. All suspected radioactively contaminated waste/material should be sampled or screened for radionuclides. All IDW must be disposed of properly at an appropriate disposal facility. Descriptions of the methods used to store, control, and transport each waste type and classification must be included in the investigation report.

The wastewater derived from daily decontamination of sampling equipment cannot be disposed of on-site. It should be containerized in labeled 55-gallon drums until proper characterization and disposal can be done as specified in Section IX.B.5 of the Order.

5. Table 5.0-1, page 72:

The table developed by the Permittees to satisfy the requirements of Section IX.A of the Consent Order, dated March 1, 2005 (Order), is inadequate. The information included in the 'summary' column of the table states what the standard operating procedure (SOP) is and what it encompasses. There is no description of investigation, sampling or analytical methods and procedures in sufficient detail to evaluate the quality of acquired data, which is specifically stated in Section IX.A, Standard Operating Procedures, of the Order. The Permittees must revise and resubmit the table to include descriptions of the proposed field and laboratory methods and procedures.

6. Table 5.1-1 and Table 5.2-1, page 77:

Please note that analysis of explosive compounds should include the entire list of explosive compounds found in Table III-1 of the Order.

7. Table B-3 & B-4, page B-34 & B-35:

Nickel is reported as detected at 13.3 mg/kg in these tables, but Table 5-61 (page 5-219) of the RFI Work Plan for OU 1082 (July 1993) reports nickel as detected at 133 mg/kg. Resolve the discrepancy.

8. Figure B-2a, page B-21:

The figure caption reads 'Bubble plot for RDX (D-Tech™) field screening results (Buildings 16-89 and 16-90), 1996 VCA', but the results from Building 90 are not included in the figure. The results for Building 90 are included in figure B-2b not figure B-2a. Revise the caption accordingly.

9. Figure B-2d, page B-24:

The figure caption reads 'Bubble plot for TNT (D-Tech™) field screening results (Buildings 16-89 and 16-90), 1996 VCA', but the results from Building 90 are not included in the figure. The results for Building 90 are included in figure B-2e not figure B-2d. Revise the caption accordingly.

10. Appendix D, page D-2:

The Permittees are proposing to use dry techniques for decontamination of sampling equipment. Decontamination should be carried out in accordance with methods outlined in Section IX.B.3 of the Order. Permittees must obtain approval from NMED if methods other than those stated in the Order are to be used. Permittees have not provided description of the method and procedures in sufficient detail to evaluate the method, which is specifically stated in Section IX.A, Standard Operating Procedures, of the Order.