

file

Los Alamos

NATIONAL LABORATORY
Laboratory Counsel  General Law Offices

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Date: August 14, 1998

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HSWA
LAW
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Nicholas F. Persampieri, Esq.
Assistant General Counsel
NMED Office of General Counsel
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502

SUBJECT: CO 98-01: SUMMARY OF REQUIREMENTS FOR RFI REPORT BASED ON MEETING ON JULY 7, 1998

Dear Mr. Persampieri:

The purpose of this letter is to summarize the Laboratory's understanding of the key components of the deliverable mandated by the "Schedule of Compliance" contained in Compliance Order HRM 98-01 (Order). Our understanding of the key items agreed upon in the meeting is outlined below. We wish to thank you and the technical staff of NMED for taking the time to meet with us to help clarify the content of the deliverable mandated by the Order.

The deliverable will be substantially equivalent to the "Sampling and Analysis Plans/Workplans Outline" distributed by HRMB on March 3rd and 4th, 1998. The document will be entitled "RCRA Facility Investigation Workplan, Volume II". The Workplan will contain the following information:

All existing data including field notes, field screening (i.e., readings from a photo ionization detector or flame ionization detector) and sampling and analytical events that occurred in connection with the tank removal and subsequent sampling analysis at the DP Tank Farm and in the portion of DP Canyon adjacent to the Tank Farm site.

The existing data/information will be summarized or presented graphically as appropriate. Raw data (e.g., chromatograms) will be provided where available. Existing data/information include:

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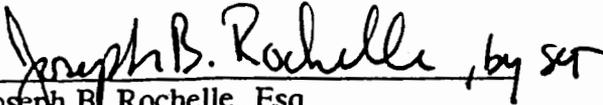
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We wish to state that by proceeding with steps towards clarifying the content of the deliverable mandated by the Order, we do not intend to make nor do we make an admission concerning any finding, conclusion or actions ordered that are contained in the Order, nor do we waive any defense in equity or at law to any findings, conclusions or actions ordered that are contained in the Order. We reserve the right to continue to dispute whether or not the Schedule of Compliance mandated by the Order is lawfully required or justified, as more fully set forth in our Answer to the Order.

Please let us know if NMED does not agree with our understanding stated above as to the agreed upon contents of the deliverable. Please do not hesitate to contact either of us should you desire to discuss this matter further. Hortense Haynes can be reached at (505) 667-4667 and Joe Rochelle can be reached at (505) 665-2286. Thank you for your continuing courtesies with regard to this matter.

Sincerely



Joseph B. Rochelle, Esq
On behalf of the Regents
The University of California

Cys: Hortense Haynes, DOE-LAAO, M316
Joe Mose, DOE-LAAO, A316
Tori George, EM-ER, M992
John Tymkowych, NMED-HRMB
Robert "Stu" Dinwiddie, NMED-HRMB
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Gerard Schoeppner, NMED-USTB
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LC/GL
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