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Date: August 14, 1998

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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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DP Canyon Tank Farm

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- 1988 decommissioning information, if available
- 1994 sampling of DP Tank Farm
- 1995 sampling of DP Tank Farm
- 1994/5 sampling of the "seep"
- 1996 VCA confirmation sampling
- alluvial groundwater data from LAUZ1 and 2 and data from DP Spring, all located down-gradient of the "seep"
- surface water, sediment, and alluvial aquifer sampling related to DP Canyon investigations

A discussion of fractures in the area.

This discussion will focus on previous site-wide and TA-21 (DP Mesa) specific research performed at LANL.

Information on how the "seep" will be investigated, including the following steps:

- walkover of the site to identify current visual extent of the seep
- water samples upstream, at the seep, and downstream
- sediment samples upstream, at the seep, and downstream
- water and sediment samples over time (to determine if concentrations are increasing or decreasing over time)
- near surface vadose zone samples (hand augering) to determine current extent and direction of the seep
- fingerprinting
- historical/archival investigation of other potential source terms

The primary objectives are to determine the current extent of the seep, the direction from which the seep came, and temporal effects on the seep, and hence to evaluate the relationship of the seep to potential source terms and in general to increase understanding of the conceptual model at this site (receptor scenarios will also be discussed to this end).

A discussion of contingencies, which will depend upon the data collected and the conclusions drawn from those data.

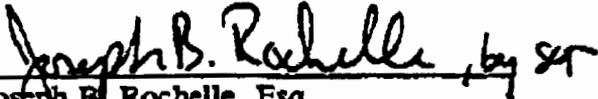
As agreed in the meeting, no additional characterization will be required on the mesa at the East or West Fill Stations at this time. As requested, the Underground Storage Tank Bureau and the Surface Water Quality Bureau will be copied on the deliverable.

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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
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