



**BILL RICHARDSON**  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

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**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

April 29, 2004

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

Mr. David Gregory, Federal Project Director  
Los Alamos Site Office  
Department of Energy  
528 35<sup>th</sup> Street, Mail Stop A316  
Los Alamos, New Mexico 87544

**SUBJECT: SECOND NOTICE OF DEFICIENCY FOR THE VCA COMPLETION  
REPORT ADDENDUM FOR SWMU 21-013(d)-99  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID# NM0890010515  
NMED TASK # LANL-03-014**

Dear Mr. Nanos and Mr. Gregory:

The New Mexico Environment Department (NMED) has completed its review of the Department of Energy and the Regents of the University of California's (collectively, the Permittees) notice of deficiency response dated April 8, 2004 and referenced by LA-UR-04-2249 (ER2004-0166) for the VCA Completion Report Addendum for SWMU 21-013(d)-99. NMED has found the response to one comment inadequate and requires the Permittees respond within 15 days of receipt of this letter.

In NMED's specific comment #4, the NMED expressed its concern regarding high levels (171 to 679 ppm) of chromium in the tuff at the site. NMED requested further information from the Permittees to determine if the chromium originated from difficulties using a hand auger in competent tuff (as stated by the Permittees) or if it was a result of a release. The additional information provided indicates the absence of chromium in the overlying soil at these same sampling locations during a previous sampling event. However, chromium can be present in subsurface tuff samples without exceeding the background value for soil. This has been seen at



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another site at LANL (see the *TA-16-340 Complex Investigation Work Plan, Table B-6*), where chromium was detected in subsurface tuff samples while not being detected in overlying soil samples.

The Permittees must resample at the following locations:

- 21-01932
- 21-01933
- 21-01934
- 21-01935
- 21-01936
- 21-01937
- 21-01940
- 21-01941

The Permittees must collect samples at the soil/tuff interface and 2 feet below the soil/tuff interface to determine extent of contamination. The samples must be analyzed for chromium, copper, and nickel.

If you have any questions regarding these comments, please contact John Young of my staff at (505) 428-2538.

Sincerely,



Sandra Y. Martin  
Acting Chief  
Hazardous Waste Bureau

SYM:cc

cc: C.Voorhees, NMED DOE-OB  
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File: Reading and LANL '04