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Date: December 4, 2009
Refer To: EP2009-0664

James Bearzi, Bureau Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Subject: Request for Extension of Time for Submittal of the Revised Phase III Investigation Report for Material Disposal Area T

Dear Mr. Bearzi:

This letter requests a 120-day extension from December 31, 2009, to April 30, 2010, for the submittal of a revised Phase III investigation report (IR) for Material Disposal Area (MDA) T. The bases for this request are two-fold: (1) to accommodate the actual time of construction for the new, deep vapor-monitoring well (21-607955) on the North Perimeter Road adjacent to MDA T and (2) to allow adequate time to collect the critical data from this well, refine the interpretation of contaminant releases from MDA T and potential threats to groundwater, and revise the Phase III IR. The U.S. Department of Energy Los Alamos Site Office and Los Alamos National Laboratory (the Laboratory) (collectively, the Permittees) believe that they have conducted the installation of the new, deep vapor well in good faith and in accordance with the approved schedule. A summary of the key dates and written and oral correspondence with the New Mexico Environment Department (NMED) is provided below.

The MDA T Phase III work plan, which did not include a schedule for the Phase III IR, was approved with modifications by NMED on May 4, 2009. NMED subsequently submitted a corrected Approval with Modifications letter on May 26, 2009, which required the Permittees to submit the Phase III IR by September 18, 2009. This NMED letter stated the following:

“Once the new monitoring wells are complete, they must be added to the existing quarterly vapor sampling program. Based on the Permittees’ current quarterly sampling schedule (March, June, September, December), the Vapor Monitoring Reports for MDA T vapor sampling must be submitted to NMED within 120 days after completion of the field work in July 31st and October 30th, 2009 and January 30th and April 30, 2010, respectively.”



The Permittees understood that this paragraph is a specific reporting requirement, and demonstrated NMED's expectation that the vapor-monitoring data from vapor-monitoring well 21-607955 would be first reported in the April 30th, 2010 vapor-monitoring report. This was confirmed by email correspondence with NMED staff on August 25, 2009.

The approved outline for the IR, which was submitted to NMED on August 21, 2009, did not include the installation of vapor-monitoring well 21-607955. The Permittees began drilling vapor-monitoring well 21-607955 on September 15, 2009. The Permittees submitted the Phase III IR on time without data from this deep vapor-monitoring well because it was still being drilled. NMED then issued a Notice of Disapproval on November 9, 2009, and a corrected Notice of Disapproval on November 18, 2009, for the submittal of a revised Phase III IR no later than December 31, 2009.

The Permittees increased the total depth of vapor-monitoring well 21-607955 at NMED's request on April 9, 2009, from the proposed depth of 675 ft below ground surface (bgs) to 966 ft bgs. This change in the work plan required a larger and more powerful drill rig than the one used to drill the vapor-monitoring well on the south side of MDA T (21-25262) to a depth of 695 ft bgs. The Permittees estimated 115 days to drill and install vapor-monitoring well 21-607955, starting on June 15, 2009 (see the Phase III work plan, Table 1), with a calculated completion date of October 7, 2009, assuming two holidays (July 4, 2009, and September 7, 2009). Because of the risks involved with drilling this deep, the decision was made to wait for one of the dual-rotary rigs and experienced operators. One of the dual-rotary drill rigs from the regional groundwater monitoring well program was mobilized on September 1, 2009, as soon as it became available. Drilling, sampling, and vapor port installation activities were accelerated by working 12 hours per day, 7 days per week. The vapor well was completed on November 23, 2009. Vapor-monitoring well 21-607955 was purged within 14 days of completion in accordance with the Approval with Modifications for the MDA T Phase III work plan and sampled on December 1, 2009. The results and data validation will not be available before the end of 2009.

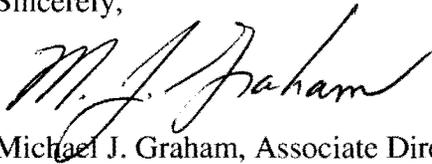
Two additional factors increased drilling time. First, progress was slower because drilling was done without water or other fluids that may have compromised the vapor port's progress. Second, a new method of construction was needed because this is the deepest vapor-monitoring well ever constructed at the Laboratory. In the new design, ports and tubing array are supported in the borehole by a central carrier pipe, rather than just suspending the tubing from the surface as in shallower wells. The Permittees asked and received verbal permission from NMED on October 8, 2009, to use galvanized pipe as the support in lieu of stainless steel, since the galvanized pipe is not part of the sampling equipment.

The Permittees will submit the revised Phase III IR by the end of December if NMED does not grant this extension, but the report will not include any data from deep vapor-monitoring well 21-607955. The Permittees are concerned that this submittal will not provide NMED with the technical information that is truly needed to review a comprehensive IR. Preliminary contaminant trends will not be apparent until one year of quarterly monitoring has been completed. Although the 120-day extension will not provide the time required for a detailed trend analysis for the new well, it will provide the time required for the Permittees to evaluate data needs at MDA T based on the initial vapor data from the new well. As discussed verbally with NMED, the Permittees are constructing a new geologic model of Technical Area 21 and MDA T that incorporates all the new data and will result in recommended locations, depths, and objectives for new groundwater and

vadose zone monitoring wells. The Permittees believe that the MDA T Phase III IR is the appropriate document for this comprehensive evaluation of contaminant releases and potential threats to groundwater and for recommendations for additional work. NMED has received and will continue to receive vapor data in periodic monitoring reports during the 120-day extension, as scheduled.

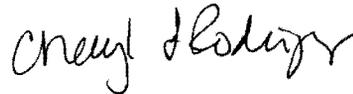
We appreciate your prompt consideration of this request. If you have any questions or require additional information, please contact Bill Criswell at (505) 699-2979 (bcriswell@lanl.gov) or Ed Worth at (505) 665-0398 (EWorth@doeal.gov).

Sincerely,



Michael J. Graham, Associate Director
Environmental Programs
Los Alamos National Laboratory

Sincerely,



David R. Gregory, Project Director
Environmental Operations
Los Alamos Site Office

MG/DG/BC:sm

Cy: Tom Skibitski, NMED-OB, Santa Fe, NM
Steve Yanicak, NMED-DOE-OB, MS M894
Annette Russell, DOE-LASO (date-stamped letter emailed)
Ed Worth, DOE-LASO, MS A316
Kate Lynnes, EP-ENG-TECH, MS M991
Bruce Wedgeworth, EP-TA-21, MS C349
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Michael J. Graham, ADEP, MS M991
Kristine Smeltz, EP-WES, MS M992
RPF, MS M707
IRM-RMMSO, MS A150 (date-stamped letter emailed)