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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 1, 2010

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Federal Project Director
Environmental Projects Office
U.S. Department of Energy/
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Michael J. Graham
Associate Director Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS M991
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**RE: DIRECTION TO MODIFY
VOLUNTARY CORRECTIVE ACTION COMPLETION REPORT FOR
THE INVESTIGATION AND REMEDIATION OF SOLID WASTE
MANAGEMENT UNITS 33-002(a-c) AT TECHNICAL AREA 33
EPA ID #NM0890010515
HWB-LANL-09-072**

Dear Messrs. Rael and Graham:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Voluntary Corrective Action Completion Report for the Investigation and Remediation of Solid Waste Management Units 33-002(a-c) at Technical Area 33* dated July 2010 and referenced by LA-UR-10-4928/EP2010-0289 (Report). NMED has reviewed the Report and provides the following modification and comments.

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The following discrepancies in the Report were noted which do not alter the conclusions. No response is required.

Comment 1. Section 2.4.2, Summary of Previous Investigations, page 6:

The Permittees incorrectly indicated that antimony was detected above background values (BV) in a Phase II RCRA Facility Investigation (RFI). According to the Historical Investigation Report for Chaquehui Canyon Aggregate Area (HIR) the single reported detection of antimony was qualified as a nondetect.

Comment 2. Sections 6.1.3.1 Inorganic Chemicals, 6.1.3.2 Organic Chemicals, and 6.1.3.3 Radionuclides, pages 15-18:

In numerous instances the Permittees describe concentrations of analytes as “decreased laterally in the drain field.” This circumstance is more accurately described as a decrease in concentrations *along the drainline*. Examples of inorganic chemicals that decreased in concentration laterally along the drainline are aluminum, arsenic, barium, calcium, lead, magnesium, selenium and vanadium. Examples of organic chemicals that decreased along concentration in the drainline are acenaphthene, acenaphthylene, Aroclor-1242, Aroclor-1254, benzo(a)anthracene, indeno(1,2,3-cd)pyrene, 2-methylnaphthalene and naphthalene.

Comment 3. Section 6.1.3.1 Inorganic Chemicals, page 16:

The Permittees state that mercury was detected above the Qbt 3 BV at four locations. The correct number of locations where mercury was detected above the QBT 3 BV is five. The Permittees also stated that the concentration of mercury increased with depth at location 33-25093. The correct location is 33-25098.

Comment 4. Section 6.2.2.2 Organic Chemicals in Tuff, page 20:

The Permittees state that four tuff (Qbt3) samples collected in SWMU 33-002(b) were analyzed for explosive compounds. Table 6.1-1 and laboratory reports in Appendix B indicate that ten tuff samples (two intervals at each of five locations) were analyzed for explosive compounds.

Comment 5. Section 6.2.3.3 Radionuclides, page 24:

The Permittees state that Uranium-235/236 was detected above the BV at location 33-25125. Uranium-235/236 was also detected above the BV at location 33-25082.

Comment 6. Figures 2.1-1, 6.2-1, 6.2-2, 6.2-3, 6.3-1, 6.3-2 and 6.3-3 and Plates 1, 2 and 3:

Figures and Plates indicate the locations of samples 33-24805, 33-24806 and 33-24807 collected at the depths of 5.0 to 7.0 feet below ground surface (bgs) on June 30, 2005 or July 1, 2005. According to the HIR those samples were analyzed for VOCs only and one analyte was detected. The samples are not listed in Table 6.1-1 (Samples Collected and Analyses Requested During 2005 VCA at SWMUs 33-002 (a-c)) nor are results included in Table 6.1-3 (Organic Chemicals Detected in 2005 VCA Confirmation Samples at SWMUs 33-002(a-c)).

Comment 7. Table 6.1-3 Organic Chemicals Detected in 2005 VCA Confirmation Samples at SWMUs 33-002(1-c), page 66:

Analytical data indicate that trichloroethene was detected at 0.006 mg/kg in sample RE33-05-63232 collected at a depth of 2.0 to 2.5 ft bgs, location ID 33-25125. This value is missing from Table 6.1-3.

Comment 8. Appendix C

Analytical results and laboratory reports for Samples RE33-04-63227, -63228, -63229, -63239, -63231, and -63232 are missing from Appendix C.

Comment 9. Section 6.1.1 VCA Activities at SWMU 33-002(s) page 13; Section 6.2.1 VCA Activities at SWMU 33-002(b) page 19; and Section 6.3.1 VCA Activities at SWMU 33-002(c) page 24:

The Permittees reported the depths of sample intervals obtained below the drainlines, septic tank excavation, inlets, outlets, and other locations. However, the Permittees did not include the depths of the drainlines, inlets, and outlets themselves. The depth below ground surface that the samples were collected is not clear. Depth of the drainlines and septic tank should have been included in the Report.

Directions

The following actions must be included in a revised Investigation Work Plan for Chaquehui Canyon Aggregate Area.

1. Proposed Activities, SWMU 33-002(a), SWMU 33-002(b) and SWMU 33-002(c):

The Permittees must review the list of sampling locations where the vertical extent of contamination has not been determined and propose additional samples at these locations to define the vertical extent.

2. Proposed Activities, SWMU 33-002(a):

Where the vertical extent of contamination has not been determined the Permittees must propose to collect samples five feet below the removed piping (not 5 feet bgs) in accordance with Section IX.B.2.b.i of the Order, and at the fill/tuff interface.

3. Proposed Activities, SWMU 33-002(a):

The Permittees must include sampling and analyses of explosive compounds in the SWMU 33-002(a) drain field sampling locations (33-25097, -25098, -25108, -25109, -25110, -25111, -25112, -25113, -25114, -25115, -25115, and -25-116) that were not analyzed for explosive compounds during the 2005 investigations.

A Table of Contents for the analytical suites and results and reports contained in Appendix C would have facilitated review of the document. Provide a Table of Contents for analytical suites and results and reports contained on a CD or DVD in future reports.

According to the cover letter accompanying the submittal of the Report, the Permittees propose to resubmit the Investigation Work Plan for Chaquehui Canyon Aggregate Area following NMED's review and approval of the Report. The revised work plan must be submitted by **November 1, 2010**. All submittals (including maps) must be in the form of two paper copies and one electronic copy in accordance with Section XI.A of the Order.

Please contact Pat Stewart at (505) 476-6059 should you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB
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File: Reading and LANL 2010, TA-33 [SWMUs 33-002 (a-c)]