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TA 33 Mailed 3/24/05

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

March 24, 2005

David Gregory, Federal Project Director
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

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

RE: NOTICE OF DISAPPROVAL
ACCELERATED CORRECTIVE ACTION WORK PLAN FOR SOLID WASTE MANAGEMENT UNIT 33-013, A FORMER STORAGE AREA AT TECHNICAL AREA 33
LOS ALAMOS NATIONAL LABORATORY (LANL), NM0890010515
HWB-LANL-05-003

Dear Messrs.Gregory and Nanos:

The New Mexico Environment Department (NMED) is in receipt of the *Accelerated Corrective Action Work Plan For Solid Waste Management Unit 33-013, A Former Storage Area At Technical Area 33,* dated March 2005 and referenced by LA-UR-05-1104. The University of California and the Department of Energy (collectively, the "Permittees") must submit a revised Accelerated Corrective Action Work Plan which corrects the deficiencies described in this letter. As part of the revised work plan, the Permittees must include a revised remedy implementation and reporting schedule. The revised work plan must be submitted to NMED within 15 days of receipt of this letter.

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Comments

1. Section 2.2 Contaminant Transport Mechanisms and Potential Receptors:

The Permitteess must include subsurface infiltration/migration as a mechanism of contaminant release from the site. As seen at MDA AB at TA-49, the lack of evapotranspiration due to an asphalt cover may produce contaminated water that could migrate through gravity flow and capillary forces. As seen at the TA-21-57 aboveground storage tank diesel spill, saturated conditions due to water are not necessarily needed for contaminant migration to significant depths. If moisture is encountered during site investigation or remediation, the Permittees must collect samples at the moist intervals and determine the vertical extent of any moist zones. The Permittees must also include in the revised work plan a contingency plan to address the characterization of any water encountered.

The Permittees must consider that the pathway from subsurface contamination to human receptors is complete because planned construction activities will likely expose workers to any residual contaminated soil or tuff.

2. Section 4.0 Scope of Activities:

The Permittees must describe how they will determine potential risk to human health and the environment. The Permittees must identify which exposure scenario(s) will be used if anything other than a residential. The Permittees must use all available data to make decisions for the site. These would include any storm water sampling data collected from station E340.

3. Section 5.1.1 Mobilization and Site Preparation:

The Permittees propose to mark any locations measured during the radiation screening at two times the local background levels. The Permittees must provide a rationale for this factor. The Permittees must also explain if the inspection for stains will be conducted underneath or on top of the soil/pumice veneer. The Permittees have previously identified staining on the asphalt underneath the soil/pumice veneer.

4. Section 5.1.2 Excavation and Confirmation Sampling:

The Permittees propose using radiation field screening to guide the removal of contaminated soil and tuff. According to previous data summarized in the work plan tables, only one location detected tritium above background levels. More importantly, only two (out of 18) samples were analyzed for tritium. Metals were detected above background levels at most sampling locations. The Permittees must propose other methods, in addition to radiation screening, to help guide soil and tuff removal. The Permittees must use all of the proposed field screening methods and laboratory analytical data to guide removal below the proposed six inches if contaminants (radionuclides, inorganics, organics, HE, and PCBs) are still present.

The Permitttees propose collecting confirmation samples from 10 randomly selected locations following soil and tuff removal. The Permittees must bias the collection of confirmation samples to correspond to the locations with the highest detected contaminant concentrations. The Permittees must collect confirmation samples from locations AA2036 and AA2037 following soil and tuff removal.

5. Section 5.1.3 Fixed Laboratory Analytical Methods:

The Permittees must specify the quantity of QA/QC samples that will be collected.

6. Table 5 SOPs for ACA Activities at SWMUs 33-002(a) and 33-013:

The Permittees provided descriptions of the type of information that is included in each SOP referenced in the work plan. Instead, the Permittees should have provided descriptions of the investigation, sampling, and analytical methods and procedures that will be conducted, pursuant to Section IX.A of the Consent Order. For example, the Permittees must describe what sampling equipment will be used to collect samples, the procedures for decontaminating sampling equipment, methods of sample collection for given analytes (grab vs. composite), and procedures for calibrating and using field screening instruments. The Permittees must revise this table.

7. Appendix C Waste Management and Disposal:

Given the previous sampling results and the history of the SWMU, the Permittees must assume that the waste generated will be mixed waste instead of low-level waste. The Permittees must identify disposal options for mixed waste.

Should you have any questions, please feel free to contact Ms. Darlene Goering of my staff at (505) 428-2542.

Sincerely,

James P. Bearzi
Chief
Hazardous Waste Bureau

JB:dxg

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