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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

April 25, 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: APPROVAL WITH MODIFICATIONS
ACCELERATED CORRECTIVE ACTION WORK PLAN FOR SOLID WASTE
MANAGEMENT UNIT 33-013, A FORMER STORAGE AREA AT TECHNICAL
AREA 33
LOS ALAMOS NATIONAL LABORATORY, 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, Revision 1*, dated April 2005 and referenced by LA-UR-05-2601. NMED hereby approves the aforementioned document with the modifications described in this letter. If the Permittees fail to implement the modifications, the approval for this document will automatically be rescinded.

The Permittees shall modify their sampling strategy in Section 5.1.2 to include the collection of samples where moisture is encountered. The Permittees shall determine the extent of any moisture encountered using excavation or, if free liquid is present, boreholes. If free liquid is encountered in significant amounts, the Permittees shall install monitoring wells. The Permittees



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shall submit a groundwater sampling plan to NMED for approval if monitoring wells are installed.

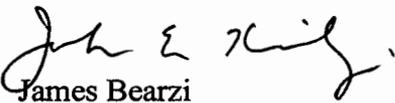
The Permittees should note that solid waste management unit (SWMU) 33-013 may contribute contaminants to storm water sampling station E340. NMED reserves the right to request future sampling of any drainages leading from this SWMU into Chaquehui Canyon and any of its tributaries.

The Permittees' response to NMED's Notice of Disapproval (NOD) comment # 3 did not provide adequate the information to support the Permittees' claim that variations occur in local radiological background measurements and, thus, to support using twice the background level as an action level during soil removal. The Permittees shall provide the supporting information as part of the investigation report.

The Permittees' response to NMED's NOD comment #6 is inadequate. Per the discussions leading up to the Consent Order and Section IX.A of the Consent Order, the Permittees agreed to provide descriptions of their field and analytical methods and procedures. The table provided in this work plan does not provide the requested information. In addition, the Permittees' claim that the content of this table was previously approved with another work plan (ACA Work Plan for Investigation and Remediation of AOC 03-001(i) and SWMUs 03-029 and 61-002) is incorrect and irrelevant. The project leader for that work plan requested additional information regarding the table because NMED deemed it inadequate. Also, before and subsequent to the approval of that work plan, NMED requested the Permittees revise similar tables to include the requested information for the following projects: MDA B, MDA V, MDA C, and MDA G. Therefore, the Permittees shall include this information in the investigation report.

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

Sincerely,

for 
James Bearzi
Chief
Hazardous Waste Bureau

JB:dg

cc: D. Goering, NMED HWB
D. Pepe, NMED DOE OB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
K. Hargis, LANL RRES/DO, MS M591
D. McInroy, LANL E/ER, MS M992
File: Reading and LANL TA-33 '05