

TAB 5



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August 4, 2006

Mr. David Cobrain
State of New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East
Building One
Santa Fe, New Mexico 87505-6303

Reference: Work Assignment No. 06280.100; State of New Mexico Environment Department, Santa Fe, New Mexico; LANL Risk Assessment Support; Review of Second Set of Response to Comments on the Middle Mortandad/Ten Site Canyon Aggregate Investigation Report, Los Alamos National Laboratory, New Mexico, Task 2 Deliverable.

Dear Mr. Cobrain:

This letter serves as a deliverable for the above-referenced work assignment and addresses the review of the response to the second set of risk assessment comments on the "Middle Mortandad/Ten Site Canyon Aggregate Investigation Report," Los Alamos National Laboratory (LANL), New Mexico, dated June 8, 2006.

As noted in the previous review of response to comments (deliverable dated May 24, 2006), most of the risk assessment comments had been adequately addressed. General Comment Nos. 5 and 7 were modified and are re-addressed below.

General Comment No. 5

NMED requested that a risk assessment for each individual unit should have been conducted. In the response, LANL has agreed to conducted risk assessments on a Solid Waste Management Unit (SWMU), Area of Concern (AOC), or consolidated unit basis within each subarea. This meets the request by NMED and it is agreed that this will provide a better evaluation of risk. In addition, this approach may lead to some areas meeting residential standards, thus eliminating the need for institutional controls and management under a land use tracking system. For the ecological risk assessment, LANL intends to retain the current assessment, and not evaluate ecological risk on an individual unit basis. As ecological risks tend to be more focused on protection of populations and comities, this approach is reasonable.

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General Comment No. 7

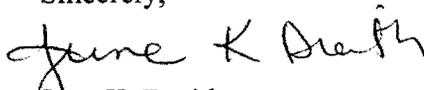
The Report did not adequately address the potential for contaminants in soil to migrate to groundwater. Because of the identified land use and restriction of use to non-intrusive industrial and recreational scenarios, contamination at depth is not being addressed. The concern is that while direct contact with subsurface soil may not occur under the identified land uses, there is a possibility that contamination could migrate to groundwater, where subsequent direct and indirect exposure to contaminants in groundwater could result. The comment requested that LANL demonstrate that groundwater could not be adversely impacted through the migration of contaminants in soil. As an example, a comparison of maximum detected site concentrations to soil-to-groundwater migration screening levels based on a dilution attenuation factor (DAF) of 20 as suggested as that would provide sufficient evidence to demonstrate potential impact to groundwater.

LANL's response indicated that use of a soil screening level based upon a DAF was not appropriate for the site. It is agreed that if an analysis of migration to groundwater is required, site-specific DAFs should be developed. However, based upon the discussion of the fate and transport characteristics of the area, and the types of contaminants present, it is agreed that it is unlikely that contaminants are present at sufficient concentrations to pose a threat to groundwater. Thus, the exclusion of this evaluation appears to be sufficiently justified.

The RESRAD files showing the conversion of dose into risk were provided. Based upon a review of these files, it appears that conservative assumptions (such as no cover) along with site-specific environmental data were used. However, it is not clear for which site these files are associated. The initial soil concentrations do not match with soil concentrations associated with any of the subareas. Some additional review of these files and/or explanation of these files are required. Ms. Walton is following up on this issue with Ms. Dhawan.

This letter deliverable was emailed to you on August 4, 2006 at David.Cobrain@state.nm.us to Ms. Neelam Dhawan at Neelam.Dhawan@state.nm.us. A formalized hard (paper) copy of this letter deliverable will be sent via mail. If you have any questions, please call me at (303) 763-7188 or Ms. Paige Walton at (801) 451-2978.

Sincerely,


June K. Dreith
Program Manager

Enclosure

cc: Neelam Dhawan, NMED
Ms. Paige Walton, TechLaw
Dallas/TechLaw Files