



BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

March 9, 1992

Mr. Jerry L. Bellows, Area Manager
Los Alamos National Laboratory
Department of Energy
528 35th Street
Los Alamos, New Mexico 87544-5000

**RE: NOTICE OF DEFICIENCY: TA-35 BUILDING 125 SURFACE IMPOUNDMENT
CLOSURE PLAN AND REPORT (NM0890010515)**

Dear Mr. Bellows:

On October 30, 1991, the New Mexico Environment Department (NMED) received your closure certification report for TA-35 TSL-125 surface impoundment. The closure plan and closure certification report is for final closure of the TA-35 TSL-125 surface impoundment located at Los Alamos National Laboratory (LANL). Your closure certification report also constitutes a petition for a determination that a post-closure permit is not required for the unit because the closure met the applicable HWMR-6, Part V, Section 40 CFR 264 closure standards.

HRMB has completed a review of the documents you submitted, and our comments are enclosed for your consideration. In general, more information is needed to make a decision regarding clean closure of the TA-35 Building 125 Surface Impoundment. More specifically, the data regarding Benzidine, n-Nitrosodimethylamine, n-Nitrosodimethylpropylamine, and Beryllium indicate that clean closure has not been achieved.

Additionally, your groundwater monitoring waiver is based on low migration requirements of 40 CFR 265. A groundwater monitoring waiver based on the no potential for migration requirements of 40 CFR 264 will be necessary to support a clean closure demonstration.

Please submit your response to these comments within 30 days of



5066

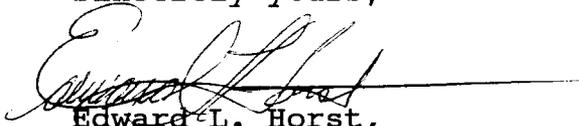
LANL
3/9/92
Pg. 2

your receipt of this letter.

After we review and approve your response, we will issue a 30 day public notice of our proposed decision to approve or deny the petition according to HWMR-6, Part IX Section 270.1(c)(6). We will make a determination as to whether or not the closure has met the HWMR-6, Part V Section 40 CFR 264 standards after we respond to any public comments. If our decision is to deny the petition, then we will provide you with a written statement of the reasons why the closure failed to meet the Part 264 standards.

Please contact Ms. Stephanie Stoddard of my staff at 827-4300 if you have any questions.

Sincerely yours,



Edward L. Horst,
Program Manager, RCRA Unit
Hazardous and Radioactive Materials Bureau

Enclosure.

xc: Ms. Teri Davis
Dr. Herb Grover
Dr. Bruce Swanton

TA-35 TSL-125 SURFACE IMPOUNDMENT

CLOSURE PLAN COMMENTS

1. Section 4.0 Waste Inventory: Insufficient information has been provided regarding LANL's determination of possible wastes present in the surface impoundment:

provide a readable MSDS form for the Shell DIALA(R) Oil;

describe more fully the historical/records review conducted to characterize the unit beginning from the date of initial operation and including all possible sources from TA-35. Include any criteria LANL used to determine what constituted sufficient information for validating all decisions made by these reviews. For example, provide your rationale for excluding any Appendix VIII contaminants from sampling and analysis.

provide a summary of the location, media, and analytical parameters (by class, e.g. volatiles, semivolatiles etc.) for each sample taken to characterize the unit;

provide an explanation with data to demonstrate that the analytical results for EP Toxicity would not exceed TCLP concentrations.

2. Section 5.0 Closure Design: Your records indicate that no sampling of the soils or surface water in Ten Site Canyon was done subsequent to the last overtopping of the impoundment (7/1/88). As part of a clean closure demonstration, LANL must prove that releases from the unit impacting surrounding soils or surface water are below health based levels. Propose a sampling and analysis plan to meet this requirement.

Section 5.1.4.2. Ground-water Investigation Plan: The original Interim Status Closure and Post-Closure Care Plan states that three test holes will be drilled on top of the mesa to an approximate depth of 120 feet to determine the likelihood of recovery of a representative volume of perched ground water. Provide reasoning why these three test holes were not drilled.

Section 5.3 Soil Removal, Sampling, Analysis, and Evaluation Plan:

Phase III test results indicate that the beryllium LOQ exceeded health based limits and background concentrations. The LOQ is not adequate to verify that LANL's clean closure standard for beryllium was met.

Corehole Sampling:

provide your rationale for placing the exterior corehole (125-1) up topographic slope instead of down slope from the surface impoundment;

provide a readable print-out sheet of the surrogate recoveries for volatiles;

several volatile surrogate samples did not fall within EPA recovery limits. Data for these samples cannot be used to support a clean closure determination.

furnish your rationale for excluding any constituents from analysis by EPA method 8270 and for excluding metals from corehole sampling;

the Limits of Quantitation (LOQ) for three SVOC's (benzidine, n-nitrosodimethylamine, and n-nitrosodi-n-propylamine) exceeded health based action levels during all sampling phases with the exception of phase II in which the holding times were exceeded. It has not been demonstrated that the above named constituents are not present at or above health based action levels.

Section 5.4 Groundwater Investigation Plan: the closure plan references a 265 Interim Status Groundwater Monitoring Waiver. This is not adequate to support a clean closure demonstration. LANL should submit a groundwater monitoring waiver according to 264 standards based on "no migration". HRMB is currently reevaluating the nature of existing groundwater monitoring waiver documentation previously submitted.

3. 6.3 Final Report: provide the QA/QC summary as described on page 42 of the closure plan.