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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 7, 1992

Mr. Jerry L. Bellows, Area Manager
Los Alamos National Laboratory
Department of Energy
523 35th Street
Los Alamos, New Mexico 87544-5000

RE: TA-35 TSL-125 SURFACE IMPOUNDMENT: DENIAL OF CLEAN CLOSURE
EQUIVALENCY DEMONSTRATION AND DISAPPROVAL OF CLOSURE PLAN.

Dear Mr. Bellows:

On May 17, 1992 the Hazardous and Radioactive Materials Bureau (HRMB) of the New Mexico Environment Department (NMED) published public notice for the TA-35 TSL-125 Surface Impoundment Closure Plan. At the same time, public notice was issued for granting clean closure equivalency and termination of interim status. The public comment period ended June 17, 1992 with one comment received.

Based on the following, NMED has found that the closure related activities at TA-35 TSL-125 have failed to support a clean closure equivalency demonstration:

To demonstrate clean closure equivalency, Los Alamos National Laboratory (LANL) must establish that no contamination remains in the groundwater or underlying soils. Equivalency demonstration guidance states that this can be done with either 1) actual groundwater data or 2) soils data in cases where groundwater data is difficult to obtain. NMED interprets this guidance to mean that groundwater monitoring may be unnecessary when contaminants can be shown to be limited to the vadose zone. Analytical results from corehole sampling previously conducted at the site reveal that the vertical extent of contamination originating from the unit has not yet been determined. To define the vertical limit of contamination, core hole sample results must show no contamination



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present above the method detection limit (MDL). Accordingly, NMED is requiring that groundwater monitoring data or additional core hole soil data be obtained. Secondly, LANL has not shown that releases from the unit impacting surrounding soils or surface water are below health based levels.

NMED is disapproving the July 1991 Closure Plan. LANL developed and submitted to NMED (5/15/92) a sampling and analysis plan to address any impact to surrounding soils and surface water. A sampling and analysis plan for acquiring the needed subsurface data should be submitted as an amendment to the 5/15/92 plan. LANL must submit the required information within thirty days of your receipt of this letter. Once the sampling and analysis plan is approved by NMED, the July 1991 Closure Plan may also be approved. If additional field activities and sampling data confirm clean closure, NMED will grant clean closure equivalency demonstration and terminate the interim status of the unit.

If there are any questions regarding this matter, please contact Stephanie Stoddard of my staff at 827-4358.

Sincerely,



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

xc: Teri Davis, HRMB