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JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 21, 2007

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

David McInroy
Remediation Services Deputy Project Director
Los Alamos National Laboratory
P.O. Box 1663, MS M992
Los Alamos, NM 87545

**RE: APPROVAL WITH MODIFICATIONS FOR THE INVESTIGATION WORK
PLAN FOR NORTH ANCHO CANYON AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY (LANL)
EPA ID #NM0890010515
HWB-LANL-07-028**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security LLC's (LANS) (collectively, the Permittees) *Response to the Notice of Disapproval for Investigation Work Plan for North Ancho Canyon Aggregate Area* and the *Investigation Work Plan for North Ancho Canyon Aggregate Area, Revision 1* (Plan), dated December 14, 2007 and referenced by EP2007-0761 and LA-UR-07-8272/EP2007-0762, respectively. NMED has reviewed this document and hereby issues this Approval with the following modifications. Comment numbers (except comment # 1) correspond to the original Notice of Disapproval (NOD) dated October 30, 2007.

1. Section 5.1.2.4, PCB Field Screening, page 54:

Permittees' Statement: "A semiquantitative RaPID assay enzyme immunoassay test kit (or equivalent) will be used to screen samples for the presence of PCBs, specifically Aroclor-1254 as an indicator chemical."

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NMED Comment: Because the Permittees are only screening for Aroclor-1254, 50% of field screened samples must be submitted for off-site analysis for PCBs.

Specific Comments:

2. Section 4.2.2 of the revised Plan proposes limited sampling in conjunction with the extended drainage sampling to investigate the potential for contaminants to migrate downstream. Samples from two locations at two depths are proposed. These are not sufficient to supplement the extended drainage sampling and identify whether contaminants are migrating off the SWMU. In addition to the samples proposed on Figure 4.2-1, the Permittees must collect samples at two locations (corresponding to historical sampling locations 39-01302 and 39-01254) at depths of 0-1 and 1-2 ft below ground surface (bgs).

8. Section 4.11.2 of the revised Plan proposes limited sampling in conjunction with the extended drainage sampling to investigate the potential for contaminants to migrate downstream. Samples from two locations at two depths are proposed. These are not sufficient to supplement the extended drainage sampling and identify whether contaminants are migrating off the SWMU. In addition to the samples proposed on Figure 4.11-1, the Permittees must collect samples at three locations (corresponding to historical sampling locations 39-01251, 39-01250 and 39-01289) at depths of 0-1 and 1-2 ft bgs.

All submittals (including maps) must be in the form of two paper copies and one electronic copy in accordance with Section XIA of the Order. The North Ancho Canyon Aggregate Area Investigation Report must be submitted to NMED by July 31, 2009. The Notice Date will be December 31, 2009.

Please contact Kathryn Roberts at (505) 476-6041 should you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc:

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