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TA49
NEW MEXICO
ENVIRONMENT DEPARTMENT

ENTERED

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Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 14, 2008

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 SITES AT TECHNICAL AREA 49 INSIDE THE NUCLEAR ENVIRONMENTAL SITE BOUNDARY LOS ALAMOS NATIONAL LABORATORY (LANL), EPA ID #NM0890010515 HWB-LANL-07-033

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) *Investigation Work Plan for Sites at Technical Area 49 Inside the Nuclear Environmental Site Boundary, Revision 1* (Plan), dated January 2008 and referenced by LA-UR-08-0447/EP2008-0026. NMED has reviewed the Plan and hereby issues this Notice of Approval with the following modifications. Comment numbers correspond to the Notice of Disapproval (NOD) dated December 20, 2007 (except the "additional comment").

Specific Comments:

- 8. **NMED Comment:** The Permittees state that "rather than collecting pore-gas samples from minimum 10-ft intervals, vapor-phase samples will be collected from (1) intervals corresponding to elevated organic compound concentrations indicated during head-space



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screening of core samples..." Because there are no background levels for volatile organic compounds (VOCs), any detection is considered elevated. Therefore, the Permittees must collect pore-gas samples at all intervals where VOCs are detected during head-space screening.

The Permittees state in their NOD response that "if VOCs are detected in vapor-phase samples at concentrations greater than 10% of screening levels based on equilibrium partitioning with groundwater cleanup levels (maximum contaminant levels (MCLs)), or if tritium is detected in vapor-phase samples at concentrations greater than the groundwater MCL, each borehole will be completed as a vapor-monitoring well." In accordance with Section IV.C.4.c.v of the March 1, 2005 Order of Consent (Order), the Permittees shall not install vapor-monitoring wells prior to submitting a vapor-monitoring and sampling plan to NMED for review and approval. Based on the proposed vapor-monitoring well locations and the data provided in the vapor-monitoring plan, NMED will determine the most appropriate location(s) for the vapor-monitoring well(s).

9. NMED Comment: The Permittees state in their response that a letter documenting that drilling of R-30 would commence following vadose zone characterization at TA-49 would be submitted following submittal of the NOD response. Because no specific due date is given for submittal of the letter, the Permittees must submit the letter to NMED within fifteen (15) days of the date of this letter.

10. NMED Comment: See comment # 9 above.

Additional Comments:

1. Section 5.2.4, Borehole Abandonment, pages 46-47:

NMED Comment: All boreholes must remain open until NMED has reviewed the Investigation Report and determined whether long-term monitoring is required. The Permittees must take appropriate measures to ensure that the borings are secure and that no materials can enter the borings pending NMED's determination of their potential use as vapor monitoring wells.

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

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc:

D. Cobrain, NMED HWB
K. Roberts, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
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G. Rael, DOE LASO, MS A316
S. Stiger, ENV MS J591
file: Reading and LANL '07, TA-49 (SWMUs: 49-001(a), 49-001(b), 49-001(c), 49-001(d),
49-001(e), 49-001(f), 49-001(g), 49-003; AOCs: 49-008(c), 49-008(d))