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PETER MAGGIORE
SECRETARY

March 11, 2002

Mr. James Sales, 6PD-O
US Environmental Protection Agency
Region 6
1445 Ross Ave.
Dallas, TX 75202-2733

Dear Mr. Sales:

Thank you for providing the New Mexico Environment Department (NMED) with an opportunity to comment on EPA's draft reauthorization of the polychlorinated biphenyl (PCB) land disposal permit at Los Alamos National Laboratory (LANL), Technical Area 54 (TA-54), Area G. After reviewing the draft permit, approval letter and fact sheet, NMED has developed the following comments.

Although PCBs are relatively immobile and unlikely to migrate large distances in tuff, LANL's transport modeling of hazardous constituents likely underestimates the role of fracture flow and, for some contaminants, transport via colloids, primarily because the geology and hydrology at TA-54 are poorly understood. Ground water flow directions and the effects of municipal supply well pumping are inadequately defined and LANL's proposed conceptual site model, particularly regarding the breathing mesa concept and subsurface migration, is not fully developed. NMED has required additional regional ground water wells and vadose zone characterization. The results of these additional contaminant release investigations at TA-54 should lead to refinement of the conceptual site model.

NMED has several concerns regarding the fact sheet. EPA should clarify that the non-migration discussion and conclusion apply only to PCBs. NMED has not reviewed LANL's test evidence of liquid migration through tuff, as well as several other documents cited in the fact sheet, and so cannot thoughtfully comment on those facets of the proposal. It is clear, however, that installation of only one borehole adjacent to a PCB shaft is insufficient to determine whether contaminant migration has occurred. NMED has also determined that LANL's documentation and subsurface investigations of the current tritium and volatile organic compounds (VOC) plumes at TA-54 are inadequate. The fact sheet incorrectly implies NMED's thorough review



11722

Mr. James Sales
March 11, 2002
Page 2

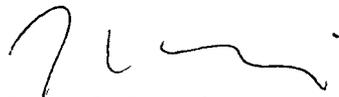
and unconditional endorsement of the PCB permit. These inaccuracies should be corrected and any reference to individual NMED staff members removed.

Regarding the draft permit, numerous PCB landfill requirements appear to be waived. The permit states, "...a waiver...is granted based upon EPA's review of the design of the pits and shafts and geology reports in the area. The volcanic tuff, the arid conditions, the non-liquid waste materials, and the 800-foot depth to ground water provides an effective barrier between the bottom of the pits and shafts and the ground water table." NMED is concerned that this rationale is applied too broadly when it results in a waiver of requirements regarding impermeable soils [761.75(b)(1)], monitoring wells [761.75 (b)(3) and 761.75 (b)(6)(ii)], a leachate collection system [761.75 (b)(7)] and, apparently, synthetic liners [761.75 (b)(2)]. NMED suggests the inclusion of a statement in section III.A.1. that specifically notes that the synthetic liners requirement was waived. NMED may yet determined that liners in the shafts and pits at TA-54 are needed. EPA should also clarify within the permit that no liquids, including liquid PCBs or items containing liquid PCBs, be disposed (section III.D.3.) and that the ponding of snowmelt or stormwater is not permissible.

To date, evidence collected by LANL leads NMED to concur with EPA's reauthorization of the PCB disposal permit, but only under the condition that additional investigation is pursued at TA-54. Specifically, additional boreholes are needed in the vicinity of each shaft field and pit. NMED urges EPA to consider how active PCB disposal may impact RCRA closure issues at TA-54.

Again, thank you for providing the opportunity to comment on this draft PCB disposal permit. We look forward to continued constructive discussions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:eaf

cc: G. Lewis
J. Parker
C. Will
R. Mayer, EPA Region 6
file: reading and LANL Permit (PCBs)