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Date: June 02, 2003
Refer to: ER2003-0382



Mr. John Young, Corrective Action Project Leader
Permits Management Program
NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East
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Santa Fe, NM 87505-6303

SUBJECT: SUBMITTAL OF THE APRIL AND MAY 2003 CORRECTIVE MEASURES STUDY (CMS) PROGRESS REPORT FOR MATERIAL DISPOSAL AREA (MDA) H, SOLID WASTE MANAGEMENT UNIT (SWMU) 54-004 AT TECHNICAL AREA (TA) 54

Dear Mr. Young:

Enclosed please find three copies of the "Progress Reports for the CMS for MDA H, SWMU 54-004, at TA 54, April and May 2003." This is the last monthly progress report as the CMS report was submitted to the New Mexico Environmental Department on May 30, 2003.

This progress report is submitted in accordance with the reporting conditions outlined in Section R, *Scope of Work for a Resource Conservation and Recovery Act Corrective Measure Study at the Laboratory, Task IX, Reports, Part A, Progress of Module VIII of the Laboratory's Hazardous Waste Facility Permit*. The CMS Plan for MDA H (LA-UR-01-1629) was approved in your letter dated December 7, 2001, (HWB-LANL-01-002).

Please contact John Hopkins at (505) 667-9551 or Woody Woodworth at (505) 667-5820, if you have any questions.

Sincerely,

David McInroy, Acting Deputy Project Director
Remediation Services
Los Alamos National Laboratory

Sincerely,

David Gregory, Project Manager
Department of Energy
Los Alamos Site Operations



DM/ET/JH/dv

Enclosure: MDA H April and May 2003 CMS Progress Report

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J. Bearzi, NMED-HWB



Remediation Program

LA-UR-03-3713

June 2003

ER2003-0379

**Monthly Progress Report for the
Corrective Measures Study for
Material Disposal Area H,
Solid Waste Management Unit
54-004, at Technical Area 54
April/May 2003**



Los Alamos NM 87545

Prepared by Risk Reduction and Environmental Stewardship–Remediation

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1.0 INTRODUCTION

This progress report summarizes Los Alamos National Laboratory (the Laboratory) activities completed during April and May 2003 on the corrective measures study (CMS) for Material Disposal Area (MDA) H, Solid Waste Management Unit (SWMU) 54-004, at Technical Area (TA) 54. The completed activities are described in the CMS plan (Environmental Restoration Project 2001, 70319), approved by the New Mexico Environment Department (NMED) Hazardous Waste Bureau (HWB) on December 7, 2001. These activities and other related operations are summarized below.

2.0 DESCRIPTION OF ACTIVITIES AND CONTACTS

2.1 High-Performing Team Activities

There were no High-Performing Team (HPT) activities in April and May 2003.

2.2 Resource Conservation and Recovery Act Facility Investigation Addendum

NMED approved the RFI report and RFI addendum for MDA H.

2.3 CMS Report

The CMS report was finalized and delivered to NMED on May 30, 2003.

2.4 Public and Stakeholder Involvement

There were no stakeholder activities in April and May. The Public Outreach Plan was revised and a letter issued to Focus Group members in anticipation of the May 30, 2003 submittal of MDA H CMS Report to NMED.

3.0 PERCENTAGE OF CMS COMPLETED

The Laboratory estimates that 100% of the CMS has been completed.

4.0 PROBLEMS ENCOUNTERED/ACTIONS TO RECTIFY PROBLEMS

The status of the five problems described in the May 2002 progress report is unchanged (Environmental Restoration Project 2002, 73269). The problems along with the actions to rectify them are listed below:

Problem 1. NMED and the Laboratory do not concur on the site conceptual model, including assumptions about site geology and hydrogeology.

Problem 2. The target levels (for modeling) have not yet been identified and agreed upon.

Problem 3. The Department of Energy and the Environmental Protection Agency base the assessment of risk from radionuclides on dose; NMED bases the assessment of risk from all hazardous constituents in excess of an incremental cancer risk of 10^{-5} .

Actions to Rectify Problems 1, 2, and 3. Section 3 of the CMS Report was revised in May 2002 to incorporate comments received from NMED during the April 23, 2002, HPT meeting. This change essentially required that the majority of the modeling information be removed from the report because NMED has not yet concurred with the Laboratory's proposed site conceptual model, including assumptions about site geology and hydrogeology. Target levels (for modeling) have not yet been identified and agreed upon. The dose-versus-risk issue remains unresolved. Therefore, Problems 1, 2, and 3 described above remain to be addressed.

Problem 4. The Concerned Citizens for Nuclear Safety and other focus group members have requested that an independent review of the MDA H CMS be conducted.

Action to Rectify Problem 4. Focus group members were provided with the resumés of seven individuals to review the MDA H CMS report before the February 26, 2002, focus group meeting. Mr. George Rice was selected as the independent peer reviewer and has agreed to perform the independent peer review upon completion of the MDA H CMS report. Mr. Rice was provided a copy of the MDA H RFI report to provide background information in anticipation of his pending review of the MDA H CMS report. In addition, the RFI addendum was provided to the focus group and Mr. Rice along with a letter updating the status of the CMS report.

Problem 5. NMED requested that the Laboratory demonstrate how the proposed corrective measure will meet requirements stated in 40 CFR Part 264, Subparts G and F, "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities." The closure/post-closure care requirements are deemed applicable to MDA H primarily because shaft 9 is considered a *regulated unit*. In a letter dated August 5, 2002, NMED found the Laboratory's submittal of the "Compliance Demonstration with 40 CFR Part 264, Subparts G and F under Corrective Action Procedures for Material Disposal Area H at TA-54," submitted to NMED in April 2002, to be incomplete and requested the Laboratory to prepare and submit closure and post-closure-care plans for MDA H.

Action to Rectify Problem 5. The CMS report for MDA H includes a crosswalk, identifying applicable closure/post-closure care requirements and showing how the proposed corrective measure satisfies each requirement. The crosswalk also references the specific CMS report section describing how different aspects of the proposed corrective measure meet the corresponding closure/post-closure care requirements.

5.0 KEY PERSONNEL CHANGES

There are no changes to the MDA H CMS contacts from the list provided in the first progress report (Environmental Restoration Project 2002, 71479) and the update provided in the May 2002 progress report (Environmental Restoration Project 2002, 73269).

6.0 PROJECTED WORK AFTER MAY 2003

6.1 HPT Proceedings and Decisions

NMED will review the CMS report and potentially schedule meetings with the Laboratory and DOE to answer questions on the CMS report.

6.2 Resource Conservation and Recovery Act Facility Investigation Report and Addendum

No activities.

6.3 CMS Report

NMED will review the CMS report and potentially schedule meetings with the Laboratory and DOE to answer questions on the CMS report. This submittal is the final Monthly Progress Report for the MDH H CMS.

6.4 Public and Stakeholder Involvement

The CMS report was sent to Focus Group members and Mr. Rice for review at the same time it was formally submitted to NMED. Two Focus Group meetings will be held on June 24 and July 22, 2003, to discuss the CMS report, be briefed on the Independent reviewer's comments on the CMS report, and potentially submit comments to NMED and DOE on a preferred remedy.

7.0 REFERENCES

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Environmental Restoration Project, March 2001. "Corrective Measures Study Plan for Material Disposal Area H at Technical Area 54," Los Alamos National Laboratory document LA-UR-01-1629, Los Alamos, New Mexico. (Environmental Restoration Project 2001, 70319)

Environmental Restoration Project, February 2002. "Progress Report for Corrective Measures Study for Material Disposal Area H, Potential Release Site 54-004, at Technical Area 54, April through December 2001," Los Alamos National Laboratory report LA-UR-02-0328, Los Alamos, New Mexico. (Environmental Restoration Project 2002, 71479)

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Environmental Restoration Project, April 2002. "Monthly Progress Report for Corrective Measures Study for Material Disposal Area H, Potential Release Site 54-004, at Technical Area 54 March 2002," Los Alamos National Laboratory report LA-UR-02-2471, Los Alamos, New Mexico. (Environmental Restoration Project 2002, 72712)

Environmental Restoration Project, May 2002. "Monthly Progress Report for Corrective Measures Study for Material Disposal Area H, Potential Release Site 54-004, at Technical Area 54 April 2002," Los Alamos National Laboratory report LA-UR-02-2727, Los Alamos, New Mexico. (Environmental Restoration Project 2002, 73111)

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Environmental Restoration Project, September 2002. "Monthly Progress Report for Corrective Measures Study for Material Disposal Area H, Potential Release Site 54-004, at Technical Area 54, August 2002," Los Alamos National Laboratory report LA-UR-02-6381, Los Alamos, New Mexico. (Environmental Restoration Project 2002, 73648)

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LANL (Los Alamos National Laboratory), May 2001. "RFI Report for Material Disposal Area H at Technical Area 54," Los Alamos National Laboratory report LA-UR-01-1208, Los Alamos, New Mexico. (LANL 2001, 70158)

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LANL (Los Alamos National Laboratory), June 2002. "Addendum to the RFI Report for Material Disposal Area H, (Solid Waste Management Unit 54-004) at Technical Area 54," Los Alamos National Laboratory document LA-UR-02-0382, Los Alamos, New Mexico. (LANL 2002, 73270)

RRES-R (Risk Reduction and Environmental Stewardship–Remediation) Program, December 2002. "Monthly Progress Report for Corrective Measures Study for Material Disposal Area H, Potential Release Site 54-004, at Technical Area 54, October 2002," Los Alamos National Laboratory document LA-UR-02-7391, Los Alamos, New Mexico. (RRES-R Program 2002, 73692)

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Young, J., December 3, 2001. "Additional Fieldwork at MDA H, 54-004," New Mexico Department letter HWB-LANL-01-001 to J. Browne (Laboratory director) and M. Johansen (DOE project manager) from J. Young (NMED), Santa Fe, New Mexico. (Young 2001, 71294)

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