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SI08-DECP-401

RECEIVED

FEB 4 2008

February 4, 2008

John E. Kieling, Program Manager
NMED Hazardous Waste Bureau
2905 Rodeo Park Drive West, Building 1
Santa Fe, NM 87505

Dear Mr. Kieling:

The Pueblo de San Ildefonso (Pueblo) Department of Environmental and Cultural Protection (DECP) has completed a review of the Los Alamos National Laboratory (LANL) RCRA Corrective Measures Study (CMS) for Material Disposal Area (MDA) H. Comments are included below.

In general, DECP is opposed to hazardous waste being left in place in proximity to Pueblo property. However, in this case, we must acknowledge the hazards to worker safety and transportation safety which would be incurred by the removal of the wastes from MDA-H. If waste is to be left in the shafts, DECP would prefer the most protective option possible, which should include Corrective Measure Alternative 3b: Complete Shaft Encapsulation.

Thank you for providing the opportunity to address our concerns.

Sincerely,

Neil S. Weber, Director
Department of Environmental and
Cultural Preservation
Pueblo de San Ildefonso

Attachment

30513



COMMENTS ON LANL MDA-H CMS BY SECTION

2.1.3.1 Climate and Ecology

The last paragraph discusses low precipitation and high evapotranspiration rates. Short duration/high precipitation events should be discussed also.

2.1.3.2 Geology, Hydrology, and Tectonics

This section should discuss surge beds and their possible contribution to accelerated downward movement of contaminants.

2.5.3 Corrective Measure Alternatives 3a and 3b: Shaft Encapsulation and Engineered ET Cover

3b: Complete Shaft Encapsulation

This section states; "However, complete encapsulation may (emphasis added) limit air circulation within the mesa top. This may (emphasis added) in turn result in potentially higher in situ moisture levels, nullifying the benefits of the engineered ET cover and increasing the potential for uranium hydride formation (Appendix M). This is a great deal of uncertainty. Is there data on air flux in the mesa top? This could be used to calculate a mass balance for evapotranspiration, thus reducing the uncertainty.

3.1.1.1 Performance of Alternatives 1, 2, and 3

The CMS should acknowledge that LANL modeling is highly conjectural and that the subsurface is not well-characterized.

Concrete is more likely to crack than erode.

3.1.3.1 Reliability Evaluation of Alternative 1: Upgrade Existing Surface Layer

Concrete is more likely to crack than erode.

3.3.1.3 Long-Term Impacts Assessment of Alternative 1

A gravel-mulch layer seems inadequate.

5.0 RECOMMENDED CORRECTIVE MEASURE

This section states; "Alternative 2 provides equal protection to human health and the environment compared to the other alternatives." It is counterintuitive that Alternative 2 would provide equal protection when Alternative 3 provides more barriers.



BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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RON CURRY
Secretary

CINDY PADILLA
Deputy Secretary

November 5, 2007

**SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD FOR PROPOSED REMEDY
SELECTION FOR MATERIAL DISPOSAL AREA H, SOLID WASTE
MANAGEMENT UNIT 54-004, LOS ALAMOS NATIONAL LABORATORY**

Dear Interested Person:

Enclosed is a Public Notice regarding the intent of the New Mexico Environment Department (NMED) to select a remedy for material disposal area (MDA) H, solid waste management unit (SWMU) 54-004 at the Los Alamos National Laboratory (LANL).

LANL is owned by the U.S. Department of Energy (DOE) and is currently co-operated by the DOE and the Los Alamos National Security, LLC (LANS) (collectively, the Permittees). LANL is located within the county of Los Alamos, New Mexico about 60 miles north-northeast of Albuquerque and about 25 miles northwest of Santa Fe. The Permittees are located at the following addresses: DOE/National Nuclear Security Administration (NNSA), Los Alamos Site Office, 528 35th Street, Los Alamos, NM 87544; and LANL/LANS, P. O. Box 1663, Los Alamos, New Mexico, 87545. Ms. Lorrie Bonds-Lopez, Los Alamos National Laboratory, P.O. Box 1663, MS J591, Los Alamos, NM 87544.

The enclosed Public Notice provides locations where the Administrative Record for this action can be reviewed, and provides procedures for submitting comments and requesting a public hearing. Comments and requests for public hearing must be received no later than **5:00 p.m. MST, January 4, 2007**.

Any person seeking additional information regarding this notice may contact:

Mr. John E. Kieling, Program Manager
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505

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Sincerely,

John E. Kieling
Program Manager
Permits Management Program
Hazardous Waste Bureau



BILL RICHARDSON
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ENVIRONMENT DEPARTMENT

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RON CURRY
Secretary

CINDY PADILLA
Deputy Secretary

PUBLIC NOTICE NO. 07-18

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
Santa Fe, NM 87505
November 5, 2007**

**NOTICE OF PUBLIC COMMENT PERIOD FOR PROPOSED REMEDY SELECTION
FOR MATERIAL DISPOSAL AREA H, SOLID WASTE MANAGEMENT UNIT 54-004
LOS ALAMOS NATIONAL LABORATORY
LOS ALAMOS, NEW MEXICO
EPA ID NO. NM0890010515**

Under the authority of the New Mexico Hazardous Waste Act (HWA, Section 74-4-1 to 74-4-14 NMSA 1978, as amended, 1992) and the New Mexico Hazardous Waste Management Regulations (HWMR, 20.4.1 NMAC), the New Mexico Environment Department (NMED) proposes to select, pending public input into this decision, the remedy for corrective action at Material Disposal Area (MDA) H, solid waste management unit (SWMU) 54-004 at Technical Area 54. This will constitute a modification to the Resource Conservation and Recovery Act hazardous waste management Permit (RCRA Permit) issued to the Los Alamos National Laboratory (LANL) that is owned by U.S. Department of Energy (DOE) and is currently co-operated by DOE and Los Alamos National Security, LLC (LANS) (collectively, the Permittees).

On November 8, 1989, a RCRA Permit (Permit) was issued to the Permittees to operate a hazardous waste treatment and storage facility at LANL pursuant to the HWA § 74-4-4.2. On January 15, 1999, the Permittees applied to the NMED to renew their RCRA Permit. The 1989 Permit remains in effect until a final decision is made on the renewal request. On March 1, 2005, NMED and the Permittees entered into a Compliance Order on Consent (Consent Order) that prescribed fence-to-fence cleanup requirements at LANL. NMED is in the process of modifying the RCRA Permit so that all corrective action will be conducted under the Consent Order with the exception of four categories of corrective action listed in Section III.W.1 of the Consent Order.

LANL is a research laboratory that began operations in 1943 when the United States Army Manhattan Engineer District was established for the research and development of the atomic bomb. The principal mission of LANL includes the research, design, development, and analysis of weapons components for the nation's nuclear arsenal. Current and historic operations include,