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RON CURRY
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JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 26, 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: STATUS OF REMEDY SELECTION AT MATERIAL DISPOSAL AREA H,
SOLID WASTE MANAGEMENT UNIT 54-004, AT TECHNICAL AREA 54
LOS ALAMOS NATIONAL LABORATORY EPA ID No: NM0890010515
HWB-LANL-03-007**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) issued a public notice for proposed selection of remedies at Material Disposal Area (MDA) H on November 5, 2007. The public comment period for the proposed remedies ended on February 4, 2008.

After the public notice was issued, NMED received the United States Department of Energy and the Los Alamos National Security, LLC (collectively, Permittees) *Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area H, Solid Waste Management Unit 54-004, at Technical Area 54, Fiscal Year 2007* (Report). The Report documents subsurface vapor phase sampling data collected at MDA H after installation of FLUTE sampling membranes in the boreholes. Comparison of these data with data collected prior to installation of FLUTE system indicates that volatile organic compounds (VOCs) concentrations were significantly lower in the new data sets. NMED received public comment questioning the reliability of the Permittees' data, and NMED's reliance on it to select proposed remedies.

After comparing the results of sampling with the FLUTE system and using a packer system, NMED contacted the manufacturer who acknowledged that there were problems with VOC absorption in FLUTE systems greater than 50 feet in length. NMED is concerned that the material used for the construction of the membrane may have absorbed some of VOCs or



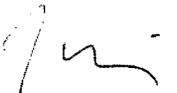
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influenced contaminant detections in other ways. NMED therefore directed the Permittees in a December 21, 2007 letter to evaluate the effects of the FLUTE system on VOC sample measurements. The Permittees must collect data from existing boreholes at MDA H with and without the membranes for at least two quarters for comparison purposes.

In light of these developments, NMED will not act on the remedy selection at MDA H until the data from at least two consecutive quarters has been collected, submitted and reviewed. Please contact Neelam Dhawan of my staff at (505) 476-6042 should you have any questions.

Sincerely,



James Bearzi
Chief
Hazardous Waste Bureau

cc: N. Dhawan, NMED HWB
D. Cobrain, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
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