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Secretary

JON GOLDSTEIN  
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 17, 2009

David Gregory  
Federal Project Director  
Los Alamos Site Office  
Department of Energy  
3747 West Jemez Rd, MS 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: NOTICE OF DISAPPROVAL FOR PERIODIC MONITORING REPORT FOR VAPOR-SAMPLING ACTIVITIES AT MATERIAL DISPOSAL AREA H, SOLID WASTE MANAGEMENT UNIT 54-004, AT TECHNICAL AREA 54, FISCAL YEAR 2008**  
**LOS ALAMOS NATIONAL LABORATORY EPA ID No: NM0890010515**  
**HWB-LANL-08-026**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has reviewed the United States Department of Energy and the Los Alamos National Security, LLC (collectively, the Permittees) document entitled *Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area H, Solid Waste Management Unit 54-004, at Technical Area 54, Fiscal Year 2008* (PMR), dated January 2009 and referenced by LA-UR-09-0473/EP2009-0005. NMED hereby issues this Notice of Disapproval (NOD) of the PMR.

**1. Section 1.0, Introduction, page 2:**

The Permittees state that during fourth quarter sampling activities in December 2008, the field crew observed that sampling ports were not connected to the correct fittings on the manifold at borehole 54-15462 (the Permittees have previously designated the fourth quarter sampling for Fiscal Year (FY) 2008 as being conducted in September 2008, not December 2008). The Permittees have not provided any details on how the problem was corrected. Without an adequate explanation of how the data were corrected, the quality of data from third quarter is



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questionable. It is not clear if the field crew discovered the mistake prior to or after collecting the samples for the fourth quarter, or if this same error occurred during previous sampling events. The Permittees must provide a description of the problems and any corrections that were made and how they were documented.

The data reported for the third quarter vapor-sampling of FY 2008 for borehole 54-15462, are inconsistent (i.e., the PMR and the *Pilot Test Report for Comparing Packer and FLUTE Vapor-Sampling Systems at Material Disposal Area H*, September 2008). Numerous inconsistencies were noted that could have resulted from corrections made to the data after submittal of September 2008 Report. The Permittees must explain in the revised report why discrepancies exist in the reporting of the same data in two different reports.

**2. Section 2.0, Scope of Activities, page 2:**

A typographical error was noted in the last paragraph. The reference for NMED's December 2007 letter should be NMED 2007, not NMED 2008. In addition, NMED directed the Permittees to conduct the sampling system comparison during the second and third quarters of FY 2008 for all volatile organic compounds in the subsurface vapor, not just trichloroethene.

**3. Tables 5.0-1 & 5.0-2, pages 17 & 18:**

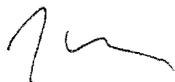
The Permittees must revise the second column of Tables 5.0-1 and 5.0-2 to report the sampling depth intervals, rather than the top of the sampling depth. In the past, the Permittees have not always collected samples from the same depth interval during quarterly monitoring events. It is crucial that the samples are collected from the same depth intervals, to determine the changes in detected concentrations over time.

The Permittees must address all comments and submit a revised report by March 18, 2009. As part of the response letter that accompanies the revised report, the Permittees must include a table that details where all revisions have been made to the report and that cross-references NMED's numbered comments. All submittals (including maps and tables) must be in the form of two paper copies and one electronic copy in accordance with Section XI.A of the Order. In addition, the Permittees must submit a redline-strikeout version that includes all changes and edits to the report (electronic copy) with the response to this NOD.

Messrs. Gregory and McInroy  
February 17, 2009  
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Please contact Neelam Dhawan of my staff at (505) 476-6042 should you have any questions.

Sincerely,



James Bearzi  
Chief  
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB  
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File: Reading and LANL/TA 54/54-004, 2009