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NEW MEXICO
ENVIRONMENT DEPARTMENT

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 7, 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: REVIEW OF THE 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, REVISION 1 AND THE PILOT TEST REPORT FOR COMPARING PACKER AND FLUTE VAPOR-MONITORING SYSTEMS AT MATERIAL DISPOSAL AREA H, REVISION 1
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) revised 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, Revision 1* (Revised PMR), dated March 2009 and referenced by LA-UR-09-1554/EP2009-0147. NMED has also received and reviewed the *Pilot Test Report for Comparing Packer and FLUTE Vapor-Monitoring Systems at Material Disposal Area H, Revision 1* (Revised Report), dated February 17, 2009 and referenced by EP-2009-0104.

The Permittees submitted the Revised PMR in response to the February 17, 2009 Notice of Disapproval (NOD). The Permittees explain that the tube connecting the FLUTE membrane's subsurface sampling ports to the surface manifold was connected to the wrong fittings during the



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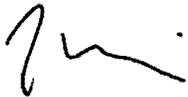
Messrs. Gregory and McInroy
April 7, 2009
Page 2

second and third quarter of 2008 and first quarter of 2009. The Permittees corrected the field documentation based on these observations and made changes to the reported data. The Permittees failed to address the fact that misalignment of sampling ports to the manifold may have resulted in inadequate purge volumes, which in turn may have resulted in formation air not being sampled from some of the ports.

Given the uncertainty in the sample collection method, NMED cannot accept the data for borehole 54-15462 for the second and third quarters of 2008, and the first quarter of 2009. NMED also rejects the same data in the Revised Report. The Permittees must continue to collect subsurface vapor data from the three existing boreholes until a remedy is selected for MDA H. The Permittees are reminded that the faulty sample collection practices produce data that is not defensible and are resulting in delay for selection of remedy at MDA H.

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