



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

54

NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

Phone (505) 476-6000 Fax (505) 476-6030

www.nmenv.state.nm.us

ENTERED



DAVE MARTIN
Cabinet Secretary

BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 11, 2012

George J. Rael, Assistant Manager
Environmental Projects Office
Los Alamos Site Office
U.S. Department of Energy
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Michael Graham, Associate Director
Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS 991
Los Alamos, NM 87545

**RE: PERIODIC MONITORING REPORT FOR VAPOR-SAMPLING
ACTIVITIES AT MATERIAL DISPOSAL AREA L
FOURTH QUARTER FISCAL YEAR 2011
LOS ALAMOS NATIONAL LABORATORY (LANL)
EPA ID #NM0890010515
HWB-LANL-11-096**

Dear Messrs. Rael and Graham:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area L, Solid Waste Management Unit 54-006, at Technical Area 54, Fourth Quarter Fiscal Year 2011*, dated December 2011 and referenced by LA-UR-11-6491/EP2011-0381 (PMR). NMED provides the following comments:

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Messrs. Rael and Graham
January 11, 2012
Page 2

In Section 6.0, Summary, the Permittees state, “[a] suspect TCE result was detected at borehole 54-24399, the deepest port at MDA L. Before the fourth quarter sampling event, the few VOCs detected in this port have been far below screening levels. This port will be resampled to resolve this apparent discrepancy, and the data will be submitted to NMED.”

The statement above is not accurate. According to the RACER database, TCE was detected on September 3, 2008 at this same location and port at more than double the concentration detected during the fourth quarter FY2011 sampling event. On that same date, PCE was detected at 97% of the screening level. TCE was also detected at this location and port on three other occasions at concentrations ranging from 80% - 90% of the screening level. These concentrations are not “far below screening levels.”

The last paragraph of Section 6.0, Summary, states, “[i]n a letter submitted to NMED on November 1, 2011 (LANL 2011, 207416), DOE and Los Alamos National Security LLC, requested to discontinue quarterly vapor sampling at MDA L and recommended semiannual vapor sampling at MDA L. A letter was received from NMED on November 14, 2011 (NMED 2011, 207576), approving this request.”

Again, the statement above is not accurate. This excerpt from the November 14, 2011 NMED letter referenced above states, “[i]n the Request, the Permittees propose to sample the current approved sampling ports at MDA L on a biannual basis. In accordance with Governor Martinez’ policy to prioritize groundwater and surface water protection, NMED directs the Permittees to discontinue all vapor sampling at MDA L and to divert those resources earmarked for biannual vapor sampling at MDA L to the evaluation of corrective measures at MDA C due to the higher potential impacts to groundwater from vapor-phase contamination at MDA C.”

Messrs. Rael and Graham
January 11, 2012
Page 3

Because NMED is in the process of selecting a remedy for MDA L, it is essential that all information that will be relied upon to support the decision is accurate. The Permittees must submit either a revised version of the PMR or the appropriate replacement pages for the PMR to correct the inaccurate statements regarding the borehole 54-24399 data and NMED's response to the Permittees' request to reduce the frequency of periodic monitoring. The revised PMR or replacement pages must be submitted to NMED no later than **February 15, 2012**.

The data in the PMR indicate that volatile organic compounds and tritium continue to be present in the subsurface. NMED will evaluate the need for future monitoring after a remedy is selected for MDA L.

Please contact Ben Wear at (505) 476-6041 should you have any questions.

Sincerely,



John E. Kieling
Acting Chief
Hazardous Waste Bureau

cc:

D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
B. Wear, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
L. King, EPA 6PD-N
J. Rice, EP-CAP, MS M992
E. Worth, DOE-LASO, MS A316
P. Maggiore, DOE-LASO, MS A316

File: LANL 2012, TA-54 MDA L