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State of New Mexico  
**ENVIRONMENT DEPARTMENT**



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**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

April 17, 2007

David Gregory  
Federal Project Director  
Los Alamos Site Office  
Department of Energy/NNSA  
528 35<sup>th</sup> Street, Mail Stop A316  
Los Alamos, NM 87544

David McInroy  
Remediation Services Deputy Project Director  
Los Alamos National Laboratory  
P.O. Box 1663, Mail Stop M992  
Los Alamos, NM 87545

**RE: APPROVAL WITH MODIFICATIONS  
INTERIM MEASURES COMPLETION REPORT SWMU 73-001(a),  
TECHNICAL AREA 73  
LOS ALAMOS NATIONAL LABORATORY EPA ID #NM0890010515  
HWB-LANL-04-007**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy and the Los Alamos National Security, LLC (collectively, the "Permittees") document entitled *Interim Measures Completion Report SWMU 73-001(a), Technical Area 73* [Report] dated March 1, 2004 and referenced by ER2004-0094. NMED hereby approves the Report with the following modifications.

1. Section 6.0 Regulatory Criteria, page 14:

**NMED Comment:** The Permittees state that items which were greater than 50 percent buried were left in place provided they could not be potentially mobilized by runoff. The Permittees must explain if any of the items greater than 50 percent buried exhibit signs of potentially contaminating the environment at a future date. The Permittees must also explain if they intend



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to return to the site at a later date and remove those buried items or provide for monitoring of contaminant transport from these locations. If monitoring will occur, the Permittees must provide a monitoring schedule and locations, and define action levels if contaminant migration is observed.

2. Section 7.3.2 Analytical Data Summary, page 21:

**NMED Comment:** The Permittees state that two compounds (endosulfan sulfate and endrin ketone) do not have NMED or EPA published SSLs. The Permittees provide the surrogate for endrin ketone but not for endosulfan sulfate. The Permittees must state the surrogate used. The suggested surrogate is endrin.

3. Table 13 Field Duplicate Variability Determination, page 95:

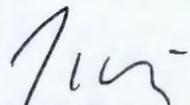
**NMED Comment:** It is not clear what the units are for the data presented in this table. The "Concentration" column says the units are mg/kg but the "Units" column says  $\mu\text{g}/\text{kg}$ . The Permittees must clarify this discrepancy.

4. Appendix E Photographs:

**NMED Comment:** The appendix shows photographs of sample locations and field activities. Photographs 2, 4, 5, 6, 7, and 8 are identical to photographs 31, 32, 33, 34, 35, and 36, respectively; however, the captions indicate that the author of the Interim Measures Completion Report intended them to be different. The Permittees must submit the photographs with the correct corresponding captions.

The Permittees must address the modifications within 30 days of receipt of this letter. Noncompliance with the modifications outlined in the approval letter may result in automatic rescission of the Report approval and potentially subject the Permittees to an enforcement action. All submittals must be in the form of two paper copies and one electronic copy in accordance with section XI.A of the Consent Order. Should you have any questions, please feel free to contact Darlene Goering of my staff at (505) 476-6042.

Sincerely,



James Bearzi

Chief

Hazardous Waste Bureau

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cc: D. Goering, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
L. King, EPA 6PD-N  
G. Rael, DOE LASO, MS A316  
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file: Reading and LANL: TA-73