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TA-73



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**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

April 1, 2003

Mr. G. Pete Nanos, Interim Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, New Mexico 87545

Mr. Everett Trollinger, Project Manager
Office of Los Alamos Site Operations
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, New Mexico 87544

**SUBJECT: CONDITIONAL APPROVAL OF VOLUNTARY CORRECTIVE MEASURES (VCM) PLAN FOR POTENTIAL RELEASE SITES (PRSs) 73-001(a)-99 AND 73-001(b)-99
LOS ALAMOS NATIONAL LABORATORY EPA ID# NM0890010515
HWB-FACILITY-02-020**

Dear Mr. Nanos and Mr. Trollinger:

The New Mexico Environment Department (NMED) is in receipt of Los Alamos National Laboratory and U.S Department of Energy's (the Permittees) "Voluntary Corrective Measure Plan for Potential Release Sites 73-001(a)-99 and 73-001(b)-99", dated October 18, 2002 and referenced by LA-UR-02-4433 (ER2002-0359). NMED has reviewed and hereby approves the above referenced VCM Plan and supporting documentation (record of communication dated March 25, 2003) for solid waste management units (SWMU) 73-001(a)-99 and 73-001(b)-99, commonly referred to as Airport Landfill in accordance with the conditions outlined in this letter.

NMED granted approval to proceed with the Airport Landfill RFI Report (dated November 1998 and referenced by LA-UR-98-3824) on December 8, 1999. The RFI Report recommended the final remedy for the Airport Landfill be consistent with RCRA Subtitle D regulations. Upon



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review of the RFI Report, NMED required the final remedy for the Airport Landfill be equivalent to applicable RCRA Subtitle C requirements. The VCM proposes the use of an engineered alternative earthen final cover. NMED approves the use of an engineered alternative earthen cover (cap) or RCRA Subtitle C equivalent cover, as long as the cover constructed will perform equivalent to or better than a standard RCRA Subtitle C prescriptive cover outlined in 40 CFR 265 Subpart N, incorporated by 20.4.1.600 NMAC. The alternative cover must function efficiently and in accordance with the design parameters for the duration of the 30-year post closure care period.

The Permittees must submit a Phase II VCM Plan containing the following: detailed engineering design, construction or implementation details, vapor monitoring system design and plan, demonstration of cover performance over the life of the cover, a schedule for cover maintenance, and closure and post-closure care for the landfill once construction of the cover is complete. Closure and post-closure care for the landfill cover must be in accordance with all applicable requirements outlined in 40 CFR 265.310 Subpart N, incorporated by 20.4.1.600 NMAC. The Phase II VCM Plan must be submitted to NMED on or before April 30, 2004.

Once the approved final remedy is implemented, the Permittees must submit an Investigation Report, detailing construction activities and any deviations from the approved Phase II VCM Plan, to NMED on or before December 31, 2006.

Should you have any questions regarding this letter, the regulatory deadlines or conditions of approval outlined above, please feel free to contact me at (505) 428-2546.

Sincerely,



Vickie Maranville
Project Manager
Permit Management Program

cc: D. Cobrain, NMED HWB
J. Kieling, NMED HWB
J. Young, NMED HWB
J. Davis, NMED SWQB
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L. King, EPA Region 6 (6PD-N)

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File: Reading and LANL TA-73 [Airport Landfill SWMU 73-001(a)-99 and 73-001(b)-

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