

FAX TRANSMISSION

NEW MEXICO ENVIRONMENT DEPARTMENT, HAZARDOUS AND RADIOACTIVE MATERIALS

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To: Stephanie Kruse **Date:** April 30, 1998

Fax #: 505 827-1544 **Pages:** 5, including this cover sheet.

From: Susan Hoines

Subject: ER Site 28-2 Chronology and OT form

COMMENTS:

I have made corrections to the chronology I handed you yesterday. I have attached the corrected chronology and my overtime sheet.

SNL1105



ER Site 28-2: Chronology

February 1, 1996

HRMB internal memo to Lloyd Aker from William Moats. A site inspection was conducted by AIP staff. The memo contains geological and historical description of Mine 28-2. Also contains description of site conditions. There was a radiological sign posted outside of the mine and evidence of backfilling was present. Grey residue was present. Interviews of former SNL employee indicated that radioactive wastes or materials are buried there. SNL information on ER Site 28-2 was deficient. AIP conclusion: sufficient information exists suggesting radioactive wastes may have been buried at ER Site 28-2.

March 11, 1996

Letter from EPA to HRMB containing EPA comments on the 14 proposals for NFA. EPA listed ER Site 28, (Mineshafts) as sites where further sampling or investigation is needed.

July 16, 1996

DOE OB sent DOE comments on the 3rd round NFA proposals. DOE OB concluded that ER Site 28-2 was inappropriate for NFA.

November 5, 1996

Letter from DOE to HRMB inviting HRMB to a meeting regarding several mine sites.

April 28, 1997

HRMB issued an NOD on the third round of NFA proposals. ER Site 28-2 was listed as a site not appropriate for NFA.

May 15, 1997

DOE requests a time extension to respond to the NOD.

May 22, 1997

notes from a meeting on the 3rd round NFA proposal and the NOD. No mention of ER Site 28-2.

June 27, 1997

Letter from DOE containing response to NOD.

August 18, 1997

Letter from DOE to HRMB. Contains a report from Chris DeWitt of KAFB. DeWitt stated that ER Site 28-2 was probably used for detonation tests conducted to support design of underground munitions storage facilities as indicated by the Klotz [concrete] block and soil piles. DeWitt reported that he did not see evidence of waste disposal.

September 9, 1997

NMED internal memo to Stephanie Kruse from William Moats regarding the August 18th letter. Memo states that DeWitt does not address characterization costs or safety issues in his report.

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ER Site 28-2: Chronology

DeWitt's report includes no significant information beyond that already provided to the NMED in the NFA proposal. In a phone conversation with DeWitt on September 4, 1997, DeWitt says that his statement in his report regarding the concrete block is nothing more than his personal opinion and is not supported by fact.

January 23, 1998

MSHA mine inspector was invited to inspect ER Site 28-2. Mine Inspector was accompanied by NMED and SNL staff to ER Site 28-2. SNL informed NMED staff prior to the inspection that no preparation was needed for the inspection. The list of requirements for the inspection was completed prior to entry. List includes preparation for helicopter rescue, EMT support, KAFB confined space rescue support, etc.

February 13, 1998

HRMB sent DOE a letter requesting DOE to notify HRMB ten days prior to sampling ER Site 28-2 so that HRMB may collect split samples.

February 20, 1998

DOE faxed HRMB a SAP for ER Site 28-2

February 20, 1998

Internal HRMB memo to Stu Dinwiddie and Stephanie Kruse from William Moats regarding DOE/SNL health and safety requirements for NMED compliance inspectors to sample ER Site 28-2. John Gould had called him at noon to inform him what health and safety requirements must be met before NMED compliance inspectors will be allowed to enter ER Site 28-2 to collect samples. Requirements are burdensome and include that inspectors must be certified for confined space training, NMED inspectors could not enter the mine with SNL/DOE inspectors, NMED must supply its own radio communication, NMED personnel must have medical monitoring, etc.

March 9, 1998

Letter from DOE to HRMB containing list of requirements that NMED inspectors must meet: "These documents must be provided to Mike Young of SNL prior to the date of sampling". The list is the same as the one mentioned on Feb 20.

April 13, 1998

Letter from HRMB to DOE responding to March 9 letter and a phone conversation of March 23 regarding requirements for NMED personnel to enter and sample ER Site 28-2: "Overly prescriptive requirements which are being imposed by DOE/SNL to allow sampling of ER Site 28-2 have the appearance of being imposed to exclude regulatory involvement in sampling events

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ER Site 28-2: Chronology

or to preclude HRMB staff from the site.”

April 15, 1998

Letter from DOE to HRMB containing field notes and a video tape from the sampling event. It also contained the HASP for the sampling event. DOE considers NMED is subjecting its personnel to serious risk.

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MSHA Mine inspector was invited to a meeting at SNL to discuss entry into ER Site 28-2. He did not find evidence of waste disposal.

January 23, 1998

MSHA mine inspector was invited to inspect ER Site 28-2. Mine Inspector was accompanied by NMED and SNL staff to ER Site 28-2. SNL informed NMED staff ~~was informed~~ prior to the

inspection that no one would be allowed entry to ER Site 28-2. If the mine inspector said that entry was safe, they would schedule entry at another date. Mine inspector said ER Site 28-2 was safe for entry. SNL handed NMED staff a list of preliminary planning and preparation activities that must be completed prior to entry. List includes preparation for helicopter rescue, EMT support, KAFB confined space rescue support, etc.

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