



**Department of Energy**  
Carlsbad Field Office  
P. O. Box 3090  
Carlsbad, New Mexico 88221  
March 15, 2005



Mr. Steve Zappe, WIPP Project Leader  
Hazardous Waste Permits Program  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 E. Rodeo Park Dr. Bldg. 1  
Santa Fe, NM 87505-6303

Subject: Response to the NMED Questions Pertaining to the No Further Action Petition

Dear Mr. Zappe:

The purpose of this letter is to reply to the New Mexico Environment Department (NMED) request for information concerning the No Further Action (NFA) Petition for the Waste Isolation Pilot Plant (WIPP) Solid Waste Management Units (SWMUs). A thorough file review has been conducted as well as consultations with the Bureau of Land Management (BLM) and the analytical laboratory, to provide all available information to respond to your questions. The responses are as follows:

**Question 1:** Additional sampling of SWMU 001-L, 001-Q, 001-X, and 004-A occurred after the NFA Petition was written. Provide the sampling data.

**Response to Question 1:** There has been no additional sampling since the NFA Petition was submitted to the NMED. The latest sample data for these locations are listed in tables 6.2, 11.2, 14.2, and 15.2 of the NFA Petition submitted to NMED in October of 2002.

**Question 2:** Wet weights were used in reporting analytical data. What is meant by wet weight and provide the data in dry weight for health risk assessment?

**Response to Question 2:** There were no wet weight analyses reported in the NFA Petition. The only reference to wet weight occurs in Table C.6 of Appendix C. This reference is directly from NMED's Guidance for Assessing Ecological Risks Posed by Chemicals: Screening-Level Ecological Risk Assessment. There was no wet weight data used in compiling the NFA Petition. All sampling and analyses were done in accordance with the NMED approved Sampling and Analysis Plan and the SW 846 methods. The laboratory noted that there were no wet weight analyses for soil samples done at their laboratory prior to 2003, which is after the NFA Petition was submitted. All laboratory results presented were in dry weight units.

**Question 3:** Originally, the NMED accepted the "closed under authority of another agency" (BLM) for the ten SWMUs and six Areas of Concern (AOC) listed in Table I enclosed; however, the NMED made that determination prior to seeing the BLM closure letter. The NMED is unsure of how the BLM classified these sites; therefore the NMED cannot approve closure without a classification level being noted or submittal of additional justification for granting the no further action.



**Response to Question 3:** The BLM was contacted about "classifying" these sites. Their response was: the sites were closed appropriately for the time period 1953-1976 and they were closed under the same standards as presently required. As these SWMU locations were drilling mud pits, no hazardous levels of materials were used and no further classification of closure exists. Review of data on the SWMUs that were analyzed for hazardous constituents have concluded that either the mud pits had no release (i.e. constituent levels were equal to or below background) or they contain constituents of concern at levels acceptable for no further action (i.e. below levels of concern). In addition, using applied knowledge; the remaining mud pits in the AOC had no release or contained constituents of concern at levels acceptable for no further action (i.e. below levels of concern). These AOC mud pits, which were drilled in the same manner using the same chemical constituents as the mud pits which were sampled, were often drilled by the same drilling company and rigs as the ones sampled and analyzed per the approved Sampling and Analysis Plan (please see Table 1 enclosed). Note: all of these sites were closed under BLM authority prior to the passage of the Resource Conservation and Recovery Act and in accordance with today's standards.

**Question 4:** The NMED stated: if the Permittees use the residential standards for cleanups, it would allow the NMED to completely close out a SWMU; but if the Permittees use industrial standards, then the NMED is required to note future follow up activities.

**Response to Question 4:** The SWMUs are located in an industrial area; however, they meet both residential and industrial clean up criteria. Therefore, they may be closed with no further action required.

If you have any questions, please contact Mr. Jody Plum at (505) 234-7545.

Sincerely,



Inés Triay  
Acting Manager

Enclosure

cc: w/enclosure  
J. Bearzi, NMED  
M. Leavitt, NMED  
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Mr. Steve Zappe

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**Table 1**  
**Summary of NFA Petition for SWMUs and AOCs**

SWMU/AOC	NFA Criteria			NFA Petition Section
	3. No Release	4. Concentrations are acceptable	5. Closed Under Another Authority	
SWMU 001g	H-14		X	2.0
SWMU 001h	H-15		X	3.0
SWMU 001j	P-3		X	4.0
SWMU 001k	P-4		X	5.0
SWMU 001L		WIPP-12	X	6.0
SWMU 001m	P-6		X	7.0
SWMU 001n	P-15		X	8.0
SWMU 001o	Badger Unit		X	9.0
SWMU 001p	Cotton Baby		X	10.0
SWMU 001q		DOE-1		11.0
SWMU 001s	ERDA-9			12.0
SWMU 001t	IMC-374		X	13.0
SWMU 001x		WIPP-13		14.0
SWMU 004a	Portacamp			15.0
SWMU 007b	SW Evap. Pond			16.0
AOC 001r		D-123	X	17.0
AOC 001u		IMC-376	X	18.0
AOC 001v		IMC-456	X	19.0
AOC 001w		IMC-457	X	20.0
AOC 001ac		DSP-207	X	21.0
AOC 001ae		IMC-377	X	22.0
AOC 010b	Waste Handling Shaft Sump			23.0
AOC 010c	Exhaust Shaft Sump			24.0