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GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

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RON CURRY
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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

April 28, 2003

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

Ralph Erickson
Area Manager
Los Alamos Area Office
Department of Energy
528 35th Street
Los Alamos, New Mexico 87544

**SUBJECT: NOTICE OF DEFICIENCY, TECHNICAL AREA (TA)-16 CLOSURE
PLAN FOR THE TA-16-401 AND -406 SAND FILTERS
LOS ALAMOS NATIONAL LABORATORY NM10890010515
HWB-LANL-03-004**

Dear Messrs. Nanos and Erickson:

The New Mexico Environment Department (NMED) has reviewed the U.S. Department of Energy and Los Alamos National Laboratory's (Permittees) March 2003 (LA-UR-03-2091) "Los Alamos National Laboratory Technical Area 16 Closure Plan for the TA-16-401 and -406 Sand Filters" Revision 0.0 (Closure Plan). NMED has found the Closure Plan to be deficient. The list of additional information required by NMED is included as Attachment A of this Notice of Deficiency (NOD).

Permittees shall respond to this NOD within 30 days of receipt of this letter. Permittees' response shall consist of an electronic version in Microsoft Word 2000 and a hard copy.

Messrs. Nanos and Erickson
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Should you have any questions regarding this letter, please contact Ms. Lee Winn of my staff at the above address or at (505) 428-2541.

Sincerely,

James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:lw

attachment

cc: D. Cobrain, NMED HWB
J. Kieling, NMED HWB
C. Will, NMED HWB
L. Winn, NMED HWB
J. Parker, NMED DOE OB
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L. King, EPA Region 6 (6PD-N)
G. Bacigalupa, LANL RRES-SWRC, MS K490
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G. Turner, DOE OFO, LASO, MS A316

File: Reading and TA-16 2003

ATTACHMNET A
NOTICE OF DEFICIENCY
TECHNICAL AREA (TA)-16 CLOSURE PLAN FOR
THE TA-16-401 AND -406 SAND FILTERS, REVISION 0.0
MARCH 2003 (LA-UR-03-2091)
APRIL 25, 2003

1. Permittees shall revise “Table 4 – Analytical Methods and Use of Data” of the Closure Plan to include data for dioxin, furan (SW-846¹ analytical method 9290) and Perchlorate (SW-846 analytical method 314.0). Permittees’ reason for not analyzing for dioxin and furan was that these constituents would only be generated from burning high explosives (HE). In past operations residual HE was open burned after the liquid passed through the sand filters. Therefore, a potential for these constituents to be deposited on the soil exists due to deposition from air emissions. The Closure Plan should be revised to conduct a minimum amount of sampling for dioxin and furan in the soil regardless of whether there is an evidence of a release from cracks in the metal sand filter structures.

2. Permittees shall revise “Table 5 – Potential Contaminants and Their Associated SSLs and ESLs” of the Closure Plan to include dioxin, furan and perchlorate. Permittees’ reason for not including perchlorate in Table 5 was that there was no screening level for perchlorate. Soil screening levels for all three constituents are published in the most recent U.S. Environmental Protection Agency Region VI Human Health Medium-Specific Screening Levels. These screening levels may be obtained at the following web site: http://www.epa.gov/earth1r6/6pd/rcra_c/pd-n/screen.htm

¹SW-846” refers to EPA, 1986 and all approved updates, “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods.