



Public Notice No. 23-08
NEW MEXICO ENVIRONMENT DEPARTMENT
SANTA FE, NEW MEXICO 87505
SEPTEMBER 7, 2023

**NOTICE OF STATEMENT OF BASIS: SELECTION OF A REMEDY AND 60-DAY PUBLIC COMMENT PERIOD
FOR CORRECTIVE ACTION AT MATERIAL DISPOSAL AREA C, SOLID WASTE MANAGEMENT UNIT 50-009
TECHNICAL AREA 50, LOS ALAMOS NATIONAL LABORATORY**

The State of New Mexico's Environment Department (NMED) is issuing a Statement of Basis for selection of a remedy for corrective action at Material Disposal Area (MDA) C, Solid Waste Management Unit (SWMU) 50-009 at Technical Area 50. MDA C is an 11.8-acre landfill consisting of 115 subsurface waste disposal units, including 7 pits and 108 shafts. The depths of the 7 pits at MDA C range from 12 to 25 feet below the original ground surface and the depths of the shafts range from 4 to 25 feet below the original ground surface. Old Los Alamos Scientific Laboratory disposal logbooks were used to identify some of the waste disposed of at MDA C. Six (6) of the pits at MDA C were reported to dispose of solid wastes containing hazardous waste, uncontaminated classified materials, and low-level radioactive waste. One of the pits, the chemical pit, was used to dispose of a variety of chemicals, metals, plutonium and uranium-contaminated objects, and low-level radioactive waste. The 108 shafts were primarily used for disposing of beta- and gamma-contaminated waste in addition to metals, radionuclides, and inorganic chemicals. Results of pore-gas sampling indicated that a volatile organic compound (VOC) plume is located in the subsurface approximately 100-200 feet below ground surface at MDA C.

The Department of Energy (DOE) submitted the *Corrective Measures Evaluation Report for Material Disposal Area C, Solid Waste Management Unit 50-009, at Technical Area 50, Revision 1* (CME), on June 30, 2021. The CME fulfills a proposed 2021 fiscal year Appendix B milestone under the Los Alamos National Laboratory 2016 Consent Order (CO). The CME presented the results of the investigation activities and evaluated the remediation technology alternatives and also provided DOE's preferred technology recommendation. The CME evaluated five alternatives, including no activity, referred to in the CME as Alternatives 1, 2, 3A, 3B, and 4. DOE recommended Alternative 3B, which is a combination of an evapotranspiration (ET) cover, soil-vapor extraction, and institutional controls. This corrective measure would include the installation of an ET cover over MDA C to prevent precipitation from infiltrating into the MDA and transporting the solid and liquid wastes into the environment. The subsurface data indicates that VOCs and tritium have already been released into the environment and were proposed to be addressed with the installation of a soil vapor extraction system.

In accordance with the 2016 Compliance Order on Consent (CO) Section XVII, NMED is selecting a remedy based on the information presented in the CME Report, and RCRA Facility Investigation (RFI) reports. NMED may choose a different remedy from what was recommended in the CME Report and is issuing this Statement of Basis and the public notice to provide an opportunity for public comment.

For maximum protection of human health and the environment and to ensure that the drinking water resource can be conservatively protected, NMED has determined that the selected remedy for MDA C must consist of waste excavation, characterization, and appropriate disposal of the buried waste. The selected remedy will also include an active and passive soil-vapor extraction (SVE) system to remove the VOC contamination detected in the soil pore gas, and plume monitoring and institutional controls. Excavation will ensure that the source of contamination at MDA C is removed, and the SVE system will mitigate and control vadose zone vapor phase contamination. Detailed information on this selection can be found in the Statement of Basis.

The Statement of Basis, the CME, and related documents along with the 2016 Consent Order, may be reviewed at the following location:

NMED—Hazardous Waste Bureau, 2905 Rodeo Park Drive East, Building 1, Santa Fe, NM 87505-6303 or on the NMED website under Material Disposal Area C Statement of Basis at: <https://www.env.nm.gov/hazardous-waste/lan/>.

Should you need additional information regarding the Statement of Basis, please contact Neelam Dhawan at neelam.dhawan@env.nm.gov or at (505) 690-5469. To obtain a copy of any of these documents, please contact NMED by calling (505) 476-6000.

NMED will accept public comment on the Statement of Basis for 60-days. Any person who wishes to comment on the proposed Statement of Basis should submit written comments, along with their name and address, to the NMED Hazardous Waste Bureau, 2905 Rodeo Park Drive, Building 1, Santa Fe, New Mexico, 87505-6303 or by email to neelam.dhawan@env.nm.gov. Only written comments received by 5:00 p.m. MDT, **November 6, 2023**, will be considered by NMED in making a final decision.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid should contact Kate Cardenas, Non-Discrimination Coordinator, by phone at (505) 469-0732, or via email at: nd.coordinator@env.nm.gov. Toll-free numbers are available for TDD or TDY users to access the New Mexico Relay Network at 1-800-659-1779 (voice); TTY users: 1-800-659-8331.

DISCRIMINATION

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to a NMED program or activity, you may contact: Kate Cardenas, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@env.nm.gov. You may also visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.