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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 28, 2019

Doug Hintze, Manager
Environmental Management
U.S. Department of Energy
Los Alamos Field Office
P.O. Box 1663, MS M984
Los Alamos, NM 87545

**RE: LETTER REPORT: FIELDWORK COMPLETION AND STATUS FOR THE
KNOWN CLEANUP SITES CAMPAIGN AT SOLID WASTE MANAGEMENT
UNITS 50-006(d), 03-049(a), AND 49-004(q)
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-18-049**

Dear Mr. Hintze,

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Newport News Nuclear BWXT-Los Alamos, LLC (NB3) (collectively, the Permittees) *Letter Report: Fieldwork Completion and Status for the Known Cleanup Sites Campaign at Solid Waste Management Units 50-006(d), 03-049(a), and 46-004(q)* (Report) dated September 2018 and received September 27, 2018 and referenced EM2018-0044.

The Report was submitted to fulfill the 2016 Compliance Order of Consent (Consent Order) requirement under the Known Cleanup Sites Campaign for Fiscal Year (FY) 2018 Appendix B, Milestones and Targets. Also, included in the Report is the fieldwork status for Solid Waste Management Unit (SWMU) 49-004(q) that was not included in the milestone.

NMED hereby validates that the letter report meets the requirements of the FY2018 Milestone # 15 of the 2016 Consent Order. This validation does not constitute an approval of the field work conducted at the sites described in the letter report. Results of remediation at SWMU 50-006(d),

analytical results, and field samples collected during the fieldwork will be presented in the Phase II Investigation Report for the Upper Mortandad Canyon Aggregate Area. NMED will conduct a review of the data and risk assessment at that time.

DOE's reevaluation and corrections to the risk calculations for SWMU 03-049(a) reduced the excess cancer risk for the industrial scenario to below NMED's target risk value of 1×10^{-5} . DOE concluded that no site cleanup was necessary, therefore, no fieldwork was performed in FY 2018. The reevaluated risk calculations will be included in the revision to the Supplemental Investigation Report for the Upper Mortandad Canyon Aggregate Area. NMED will conduct a review of the data and risk evaluation at that time. NMED provides the following comment.

Specific Comment

1. Section 3.2.2 Fieldwork Completed in FY 2018

Permittees Statement: *Although there were potential unacceptable cancer risks from dioxin/furans at this site, the risk calculations were reevaluated, and an error was identified that resulted in an excess cancer risk under the industrial scenario. With corrections to the calculations, the cancer risk is 3×10^{-6} for the industrial scenario; therefore, no site cleanup is necessary, and no fieldwork was performed in FY 2018. Tables from the supplemental investigation report for Upper Mortandad Canyon Aggregate Area are included as Appendix A with corrections noted in red.*

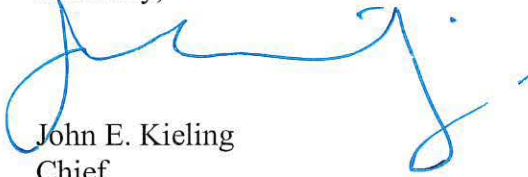
NMED Comment: After reevaluating the risk calculations for the industrial scenario for SWMU 03-049(a), using the recalculated exposure point concentration (EPC) value of $6.20\text{E-}05$ mg/kg, the DOE assessed the excess cancer risk at $3\text{E-}06$, which is below the NMED target value of $1.0\text{E-}05$. It is not clear how the new EPC value was calculated for TCDD[2,3,7,8-] equivalent; Tables H-2.3-13 and H-2.3-14, of Appendix A list the maximum concentration value for TCDD[2,3,7,8-] equivalent as $7.95\text{E-}04$ mg/kg rather than the reevaluated value of $6.20\text{E-}05$ mg/kg. Revise Tables H-2.3-13 and H-2.3-14 with red-line corrections to resolve the discrepancy. Also, the units are not reported for several tables of Appendix A. Include units of measurement in all tables.

NMED notes that fieldwork has begun on SWMU 46-004(q) for the excavation of mercury-contaminated soil and tuff. Analytical results for all investigation and field quality control samples will be presented in a future report. NMED will conduct a review of the data at that time.

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If you have any questions regarding this letter, please contact Mitchell Schatz (505) 476-6051.

Sincerely,



John E. Kieling
Chief
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