

**U.S. DEPARTMENT OF
ENERGY*****Environmental Management***

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Date: **MAR 08 2019**

John E. Kieling, Bureau Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Subject: Additional Information for Observations #16, #17, and #18, Response to First Independent External Triennial Review Corrective Actions

Dear Mr. Kieling:

On January 11, 2019, the U.S. Department of Energy (DOE) provided responses to the first independent external triennial review for pre-decisional observations #16 through #21. The New Mexico Environment Department (NMED) provided comments on February 1, 2019, and March 6, 2019, on pre-decisional observations #16, #17 and #18. As a result, DOE revised its responses to these observations to address NMED's comments. Table 1 presents the pre-decisional observations identified for groundwater in the September 14, 2018, "Supplemental Environmental Project: Independent External Triennial Review" executive summary (Table ES-1, Pre-decisional Observations) of the final report.

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Table 1
Updated Supplemental Environmental Project
Independent External Triennial Pre-Decisional Observations

No.	Reference	Observation Type	Short Description	Response
16	Hazardous Waste Facility Permit (HWFP) Section 11.10.2.7.i: Ground Water Levels	I – Operational Deficiency (not following LANL procedure)	The permit requires that all water levels be collected when monitoring activities begin. However, the 2018 Interim Facility-Wide Groundwater Monitoring Plan (IFGMP), Section 1.8, indicates that groundwater levels will be measured within a 21-day sampling event rather than the 14-day timeframe specified in the HWFP.	Groundwater monitoring is being conducted in accordance with 2016 Consent Order Section XII, Groundwater Monitoring. Appendix F, Sampling/Analytical/Field Method Regulatory Guidance Section I.B.5.c (Groundwater Sampling) of the 2016 Consent Order provides the guidance that all monitoring wells within a watershed or area-specific monitoring group should be sampled within twenty-one (21) days of the start of the groundwater sampling event. Consistent with the IFGMP, all monitoring wells within a watershed or area-specific monitoring group are sampled within 21 days of the start of the groundwater sampling event. The 21-day timeframe is necessary because of the large size of some watersheds that require more time for sampling. Additionally, complications occasionally arise due to scheduling of site access to mission areas at Los Alamos National Laboratory (LANL). The IFGMP is reviewed and approved by NMED annually to ensure agreement and alignment of the work scope with regulatory approval.
17	HWFP Sections 11.10.2.8.ii and 11.10.2.13	I – Operational Deficiency	On-site interviews and a review of waste management standard operating procedures (SOPs) in the IFGMP indicate that purged groundwater is not transferred to temporary satellite accumulation areas, transfer stations, or 90-day storage areas.	The Permittees are in compliance with the HWFP. On a case-by-case basis, and with NMED prior approval, an acceptable knowledge approach will be used to manage newly generate waste. If the waste is determined to be hazardous, permit requirements will be followed. If the waste is determined to be nonhazardous, the HWFP requirements will not apply.
18	HWFP Section 11.10.2.8.iv: Ground Water and Surface Water Sample Types	II – Potential Environmental Regulatory Violation	A Permit requirement specifies that field blanks will be obtained at a frequency of no less than one per day per site or unit. The 2018 IFGMP, Appendix D, indicates that field blanks are collected at a minimum frequency of 10% of all samples collected in a sampling campaign. Neither the HWFP nor the IFGMP stipulations were met.	Groundwater monitoring is being conducted in accordance with 2016 Consent Order Section XII, Groundwater Monitoring. Appendix D of the IFGMP directs the number of field blanks for the groundwater program. The IFGMP is updated annually and approved by NMED. To avoid confusion, the Permittees will clarify language in the IFGMP to reflect the application of the 10% field blank collection for organic samples only. To date, the Permittees have performed field blank collection in accordance with this requirement.

DOE is requesting a written response from NMED on concurrence of DOE's response to the observations provided in the "Supplemental Environmental Project: Independent External Triennial Review" final report.

If you have any questions, please contact Karen Armijo at (505) 665-7314 (karen.armijo@nnsa.doe.gov) or Arturo Duran at (505) 500-7547 (arturo.duran@em.doe.gov).

Sincerely,

FOR: 

Arturo Q. Duran
Compliance and Permitting Manager
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Los Alamos Field Office

Sincerely,



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Permitting and Compliance Programs Manager
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