



N3B-Los Alamos
600 6th Street
Los Alamos, New Mexico 87544
(505) 661-5918



Environmental Management
Los Alamos Field Office
P.O. Box 1663, MS M984
Los Alamos, New Mexico 87545
(505) 665-5658/FAX (505) 606-2132

Date: **MAY 16 2019**
Refer To: N3B-19-0122

Esteban Herrera, Chief
Water Enforcement Branch (6EN-WS)
Compliance Assurance and Enforcement Division
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Subject: NPDES Permit No. NM0030759 - Completion of Corrective Action for One Site (05-004) in One Site Monitoring Area (M-SMA-12.6) Following Certificate of Completion from the New Mexico Environment Department

Dear Mr. Herrera:

This letter and enclosures are being submitted in accordance with the requirements of the U.S. Environmental Protection Agency's (EPA's) National Pollutant Discharge Elimination System (NPDES) Permit No. NM0030759 for discharges of storm water at Los Alamos National Laboratory. The permit was issued to Los Alamos National Security, LLC (LANS) and the U.S. Department of Energy, effective November 1, 2010, and on April 30, 2018, responsibilities, coverage, and liability transferred from LANS to Newport News Nuclear BWXT-Los Alamos, LLC (N3B).

Completion of corrective action is being certified to EPA as specified in Part I, Section E.2(d):

The Site has achieved RCRA [Resource Conservation and Recovery Act] "corrective action complete without controls/corrective action complete with controls" status or a Certificate of Completion under NMED's [New Mexico Environment Department's] Consent Order [Compliance Order on Consent].

Enclosure 1, the document certifying that corrective action is complete, was prepared in accordance with 40 Code of Federal Regulations 122.22(b). Enclosure 2 is the letter with the corresponding certificate of completion issued under the Consent Order for Site 05-004 in Site Monitoring Area (SMA) M-SMA-12.6. This submittal can also be accessed at the following website:
<https://ext.em-la.doe.gov/ips/>.

emla.docs@em.doe.gov
N3B Records
Public Reading Room (EPRR)
PRS Website

Enclosure 1

**Certification of Completion of Corrective Action
at Site 05-004 in M-SMA-12.6**

May 16, 2019

NPDES PERMIT NO. NM0030759

EM2019-0139

**NEWPORT NEWS NUCLEAR BWXT-LOS ALAMOS, LLC
CERTIFICATION OF COMPLETION OF CORRECTIVE ACTION**

PF: M017

M-SMA-12.6

Site: 05-004

The following certification was performed in accordance with NPDES Permit No. NM0030759, Part I.E.2, which requires the Permittees (U.S. Department of Energy and Newport News Nuclear BWXT-Los Alamos, LLC) to certify the completion of corrective action.

CERTIFICATION STATEMENT OF AUTHORIZATION

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."



Bruce Robinson, Water Program Director
Environmental Remediation
Newport News Nuclear BWXT-Los Alamos, LLC

5/6/2019

Date



David S. Rhodes, Director
Office of Quality and Regulatory Compliance
Environmental Management
Los Alamos Field Office

5-16-2019

Date

**NEWPORT NEWS NUCLEAR BWXT-LOS ALAMOS, LLC
CERTIFICATION OF COMPLETION OF CORRECTIVE ACTION**

PF: M017

M-SMA-12.6

Site: 05-004

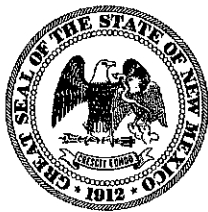
This document certifies completion of corrective action for Site 05-004 pursuant to Part 1, E.2(d) of the Individual Permit NM0030759. Accompanying this certification is a copy of the New Mexico Environment Department– (NMED-) issued certificate of completion (COC) letter for Site 05-004, which is designated as Solid Waste Management Unit 05-004 for the purposes of the 2016 Compliance Order on Consent (Consent Order). This Site, listed in Table 1, has achieved Resource Conservation and Recovery Act “corrective action complete without controls” status under the Consent Order. This certification that corrective action is complete was prepared in accordance with 40 Code of Federal Regulations 122.22(b).

In September 2013, analytical results obtained from baseline confirmation monitoring of M-SMA-12.6 exceeded target action levels for gross alpha, causing the previous Permittees to initiate corrective action. The current Permittees are certifying completion of correction action at Site 05-004 through a demonstration that the Site has achieved a COC, included with this submission, under Section XXI of the Consent Order. On October 30, 2015, the previous Permittees submitted to the U.S. Environmental Protection Agency a letter entitled “NPDES Permit No. NM0030759 Request for an Extension Based on Force Majeure under Part I.E.4(C) for Eighteen Sites within Ten Site Monitoring Areas” (ADESH-15-140). Site 05-004, subject to this certification, was part of the force majeure request. As stated in the letter, the extension request for the force majeure deadline was made because the Site is eligible to be approved by the New Mexico Environment Department (NMED) for a COC under the Compliance Order on Consent. NMED has issued a COC for this Site; therefore, the request for an extension at this Site is no longer applicable.

**Table 1
Completion of Corrective Action for One Site**

Site	Associated SMA Number	Watershed	Site Priority
05-004	M-SMA-12.6	Lower Mortandad/Cedro Canyons	Moderate

Enclosure 2



MICHELLE LUJAN GRISHAM
Governor

HOWIE C. MORALES
Lt. Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov



JAMES C. KENNEY
Cabinet Secretary Designate

JENNIFER J. PRUETT
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 20, 2019

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

**RE: REQUEST FOR CERTIFICATES OF COMPLETION FOR FOUR SOLID
WASTE MANAGEMENT UNITS IN THE LOWER MORTANDAD/CEDRO
CANYONS AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-18-067**

Dear Mr. Hintze:

The New Mexico Environment Department (NMED) has received the United States Department of Energy's (DOE) *Request for Certificates of Completion for Four Solid Waste Management Units in the Lower Mortandad/Cedro Canyons Aggregate Area* (Request), dated and received December 17, 2018, and referenced by EM-LA-40AD-00365.

The DOE recommended four solid waste management units (SWMUs), 05-003, 05-004, 05-005(b), and 05-006(c), for corrective action complete without controls in the "*Investigation Report for Lower Mortandad/Cedro Canyons Aggregate Area, Revision 1* (Report), dated August 2012 (LA-UR-12-2397/EP2012-188). NMED issued an Approval with Modifications letter for the Report on September 10, 2012. The Approval letter directed the DOE to "conduct and submit a human health risk assessment which considers a construction worker scenario in the event of future development of sites located with Technical Area 5."

NMED received the DOE *Request for Certificates of Completion for Four Solid Waste Management Units in the Lower Mortandad/Cedro Canyons Aggregate Area* (Letter), on June

15, 2015 (ADESH-15-087). The Letter did not address the Approval with Modification request for the human health risk assessment for the construction worker scenario. The NMED response Letter, dated October 28, 2015 stated that the DOE “must submit results of the human health risk assessment for the construction worker scenario for these sites before NMED can evaluate whether these sites qualify for corrective action complete under the Consent Order.”

To satisfy NMED’s request, DOE evaluated human health risk for construction worker scenario for SWMUs 05-003, 05-004, 05-005(b), and 05-006(c). The results of the human health risk for the construction worker were included in the Request.

NMED hereby issues certificates of completion without controls for the following four SWMUs in accordance with Section XXI of the 2016 *Compliance Order of Consent* (Consent Order).

SWMU 05-003 is a former underground calibration facility located at the west end of Technical Area (TA) 05. The facility consisted of two structures, 05-0020 and 05-0021, an aboveground shed and underground chamber, respectively. The aboveground shed was constructed over a 35-ft-deep access shaft to provide facility personnel access to the calibration chamber (structure 05-0021), located belowground to the west of the access shaft. The belowground chamber was used to calibrate neutron detector systems for experiments at TA-49. The neutron source used in the calibration chamber was a critical assembly called Godiva. The assembly used highly enriched uranium and was used in the chamber for approximately one month from November to December 1959. A radiation survey of structure 05-0020 was conducted in May 1976. This survey showed no detectable radioactivity. Investigations were conducted in 1995 and 2011. Results of investigations done in 2011 indicate no potential risk or doses exist from residual contamination for construction worker and residential land use scenarios. No potential unacceptable risk or dose for ecological receptors is expected at the site because the contamination source was 35 ft below ground surface (bgs). NMED notes because the calibration chamber was located 35 ft bgs, no potential exposure pathway exists, samples were not collected between 0-1 ft bgs. Therefore, no risk-screening assessment was performed for the industrial scenario (see 2012 IR, revision 1).

SWMU 05-004 is a former septic tank, associated drain lines, and outfall that were located at the west end of TA-05. The tank was constructed in 1948 and received industrial waste from a laboratory (building 05-0001) it served. The outlet from the tank discharged into an unnamed tributary of the Mortandad Canyon. The laboratory was removed during the 1985 Los Alamos Site Characterization Program (LASCP). The tank and associated drain lines had been removed before the 1985 LASCP. Previous investigations include a 1995 Resource Conservation and Recovery Act (RCRA) facility investigation (RFI) and investigations conducted in 1998 and 2011. The 2011 investigations indicate that nature and extent are defined for all chemicals of potential concern (COPCs). No potential unacceptable risks or doses exist for the industrial, construction worker, and residential land use scenarios based on the 2011 investigation. The results of the ecological risk screening assessment indicate no potential risk to ecological receptors at this site

SWMU 05-005(b) is an area of potentially contaminated soil associated with a former outfall

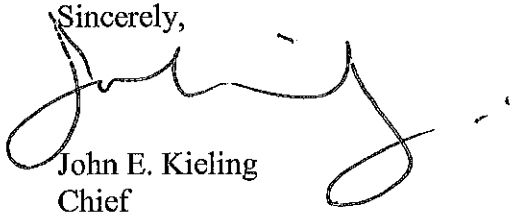
located in TA-05 at the edge of Mortandad Canyon. The outfall served a building (1944 to 1959) used as a shop and darkroom, and a for a brief period in 1952, for calibrating high range radiation meters. A Phase I RFI was performed in 1994 and 1995. The outfall was surveyed for high explosives (HE) contamination in 1995, no contamination was found. The 2011 investigations indicate that nature and extent is defined for all COPCs. No potential unacceptable risks and doses exist for the industrial, construction worker, and residential land use scenarios at this site. The results of the ecological risk screening assessment indicate no potential risk to ecological receptors at this site.

SWMU 05-006(c) is and area of potentially contaminated soil associated with the location of former building 05-0005, a shop and darkroom. The building operated from about 1944 to 1959. The building was originally used to support firing-site activities, including processing photographs of experiments. In 1952, the building was temporarily used to calibrate high-range radiation meters. A 1959 memorandum indicates that the building was contaminated with HE. The building was destroyed in 1960 by an intentional burning. Phase I RFI sampling was performed in 1995. The 2011 investigations indicate that the nature and extent is defined for all COPCs at this site. The investigation found no potential unacceptable risks and doses for the industrial, construction worker, and residential land uses scenarios at this site. The results of the ecological risk screening assessment indicate no potential risk to ecological receptors at this site.

NMED has determined that the above-mentioned sites qualify for certificates of completion without controls. Although corrective action is complete under the 2016 Consent Order, DOE must continue to comply with all applicable state and federal regulations. If new information becomes available that indicates that these sites potentially pose a risk to human health or the environment, NMED may require additional corrective action at these sites.

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

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc:

N. Dhawan, NMED HWB
M. Schatz, NMED HWB
L. King, EPA Region 6, Dallas TX
C. Rodriguez, DOE EM-LA
A. Duran, DOE EM-LA
J. Legare, N3B
K. Rich, N3B
S. Yanicak, NMED DOE OB, MS 894
K. Ellers, N3B.
locatesteam@lanl.gov
emla.docs@em.doe.gov

File: 2019 LANL, TA-05, Approval, Request for Certificates of Completion for Four SWMUs
in the Lower Mortandad/Cedro Canyons Aggregate Area
LANL-18-067