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Date: JUL 09 2010  
Refer To: EP2010-0329

James Bearzi, Bureau Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303

**Subject: Request for Extension to Respond to the Notice of Disapproval for the Phase II Investigation Report for Delta Prime Site Aggregate Area**

Dear Mr. Bearzi:

This request is submitted in response to the New Mexico Environment Department's (NMED's) June 24, 2010, Notice of Disapproval (NOD) for the April 2010 Phase II Investigation Report for Delta Prime Site Aggregate Area (Phase II Report) and is a request for an extension from the August 1, 2010, submittal date to a proposed new date of October 1, 2010. Los Alamos National Laboratory (the Laboratory) and the U.S. Department of Energy (DOE) have reviewed the comments provided in the NOD and are requesting this extension to address the extensive comments and to incorporate as appropriate the substantial revisions to the document. This is particularly applicable to NMED comments 2, 27, and 29, which are summarized below:

**NMED Comment 2. Section 6.1.1, Soil and Rock Sampling Analytical Results, page 12.**

NMED requested that the Laboratory and DOE revise all tables and figures in the Phase II Report, where appropriate, to include all sampling intervals and nondetects. This would be a significant effort because the report contains over 80 figures, 10 plates, and 75 data tables.

**NMED Comment 27. Appendix H, H-5.3, Screening Evaluation, page H-53, paragraph 3.**

NMED requested that the Laboratory and DOE conduct a bounding analysis using the lowest observed adverse effect level (LOAEL) to demonstrate that the levels of contamination present do not pose unacceptable harm to the environment. This LOAEL analysis may involve the following:

- A maximum of 19 sites
- The calculation of ecological screening levels (ESLs) for up to six receptors for each chemical of potential ecological concern (COPEC) at each of the sites
- The development of new text and tables

**NMED Comment 29. Appendix H, H-4.3, Evaluation of Vapor Intrusion, page H-33.**

NMED requested that the Laboratory and DOE clarify whether the assumptions used in the Phase II Report to justify the exclusion of vapor intrusion for the residential scenario also apply to an industrial worker and the businesses that currently occupy property within the DP Site Aggregate Area. If vapor intrusion assessments are necessary, this change could affect at least 21 sites, resulting in assessing 1 to 12 volatile organic compounds (VOCs) or more. This assessment will require modeling each VOC at each site and then analyzing and presenting the data in text and tables.

Further, the Laboratory and DOE are also requesting clarification on the following.

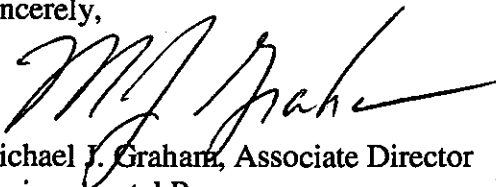
**NMED Comments 6, 9, and 14.**

NMED requested that the Laboratory and DOE either provide additional evidence supporting the conclusion that polycyclic aromatic hydrocarbons (PAHs) are not related to releases from the sites or to recommend removal of PAHs.

The Laboratory and DOE have begun the process of addressing NMED's comments; however, to facilitate this effort and to ensure clear understanding of the work required, we are requesting a meeting with NMED staff on Wednesday, July 14, 2010, at 3:00 p.m. to discuss the NOD comments.

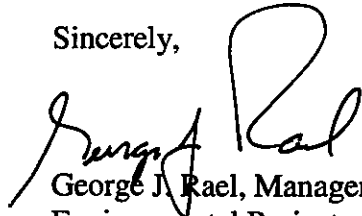
Please contact Mark Thacker at (505) 665-5342 (mthacker@lanl.gov) or Woody Woodworth at (505) 665-5820 (lwoodworth@doeal.gov) if you have any questions or to establish an alternate meeting date and time.

Sincerely,



Michael J. Graham, Associate Director  
Environmental Programs  
Los Alamos National Laboratory

Sincerely,



George J. Rael, Manager  
Environmental Projects Office  
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MG/GR/PH/MT:sm

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Annette Russell, DOE-LASO (date-stamped letter emailed)  
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