



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us



RYAN FLYNN
Secretary-Designate

BUTCH TONGATE
Deputy Secretary

TOM BLAINE, P.E.
Director
Environmental Health Division

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EP2013-5160

August 7, 2013

Pete Maggiore
Assistant Manager
Environmental Projects Office
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Jeffrey D. Mousseau
Associate Director
Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS M991
Los Alamos, NM 87545

**RE: REVIEW
DERIVATION AND USE OF RADIONUCLIDE SCREENING ACTION LEVELS,
REVISION 2, OCTOBER 2012
EPA ID #NM0890010515
HWB-LANL-13-033**

Dear Messrs. Maggiore and Mousseau:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Derivation and Use of Radionuclide Screening Action Levels*, dated June 19, 2013 and referenced by EP2013-0129.

NMED notes that the radionuclide screening action levels (SALs) were revised based on selection of a higher target dose limit. In previous versions of SALs, the driving regulatory document that the Permittees followed was the National Nuclear Security Administration Service Center (NNSA SC), which dictated that site-specific radiation dose not exceed 15 millirem per year (mrem/yr). In addition, the use of a 15 mrem/yr dose was demonstrated by the Environmental Protection Agency (EPA) as being equivalent to an approximate increased lifetime cancer risk of 1E-04. The EPA risk range, as established in the 1990 revisions to the

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National Contingency Plan and EPA guidance under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) for cleanups and remedial actions under the Superfund program, is 1E-04 to 1E-06 excess lifetime cancer risk from all radiological and non-radiological carcinogens. However, Revision 2 of the radionuclide SALs follows the guidance outlined in 2011 Department of Energy (DOE) Order 458.1. NMED agrees with the EPA's position that DOE meets the Superfund/EPA risk range for all sites proposed for corrective action, regardless of whether the site is slated for continued laboratory use or released to the public.

DOE Order 458.1, allows a site-specific modeled radiation dose up to 25 mrem/yr for cleanup guidelines and the release of real property. While the use of a 25 mrem/yr dose limit does result in less conservative radiological SALs, the guidance specifically states in Section 4 of the SAL guidance that "if the analysis determines the dose is not [As Low As Reasonably Achievable] ALARA, additional remediation is warranted to lower the dose further or an alternative scenario may be used to restrict activity and land use for that property, if transferred." NMED believes that it is likely that the application of ALARA will ensure adequate evaluation and assessment of risk and provide for flexibility if additional remediation and/or controls are required for sites to be released for public use. The Permittees have proposed (Section 4) that for sites where public access is or will be available and the radiological dose is above 3 mrem/yr and equal to or below 25 mrem/yr, a quantitative ALARA analyses will be conducted.

The proposed SALs are acceptable; however, the Permittees must ensure that cumulative risk from all radiological and non-radiological carcinogenic sources meets both the Superfund/EPA and NMED risk range before a site is proposed for corrective action complete. Please contact Neelam Dhawan at (505) 476-6042, if you have any questions.

Sincerely,



John E. Kielling
Chief

Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
L. King, EPA 6PD-N
C. Rodriguez, DOE NA-00-LA, MS A316
R. Miranda, EP-ET, MS M992

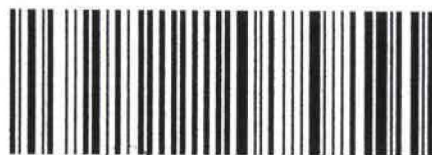
File: 2013 LANL, Radionuclides SALs (LANL 13-033)

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NAME Elaine Rini
Z# 113017
DATE 8.9.10

New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg.1
Santa Fe, New Mexico 87505

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Jeffrey D. Mousseau, Associate Director
Environmental Programs
Los Alamos National Security, LLC
P.O. Box 1663, MS ~~K491~~
Los Alamos, New Mexico 87545

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