

**From:** [Buckley, John](#)  
**To:** [Rodriguez, Sandra](#)  
**Subject:** FW: Comments on Updated CAP for HMC  
**Date:** Wednesday, June 13, 2012 3:02:05 PM

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**From:** Buckley, John  
**Sent:** Friday, June 01, 2012 2:40 PM  
**To:** 'Ortelli, Angelo, NMENV'; Sairam Appaji  
**Cc:** Schoeppner, Jerry, NMENV; Mayerson, David, NMENV; Bustamante, Phyllis, NMENV; Meyer, Matthew; Watson, Bruce  
**Subject:** RE: Comments on Updated CAP for HMC

Folks: Due to a lack of time and my computer ignorance, I am unable to create one document containing EPA, NMEDs and NRC's regulatory comments for next week's ESC meeting. Therefore, please bring copies of your comments for discussion purposes. I apologize, but I am just not good enough with the computer to combine PDF files and word files into one document that you can actually read before the end of the day.

Having read the comments provided, it appears that many of the comments are "technical" comments on the CAP instead of "regulatory" comments. Although all of the comments are appreciated, I am not sure that the senior managers of the ESC need to discuss the details of the technical comments. I believe the technical staffs can discuss and resolve the technical issues. Based on my read, I believe the regulatory topics for discussion are:

#### EPA

- The CAP does not include potential ARARS regarding radon emissions from the site.
- The LTP does not meet the radon emission levels of 40 CFR part 61 Subpart T of not exceeding 20 pCi/M<sup>2</sup>-sec
- Radon flux measurements on the LTP must be done in accordance with 40 CFR part 61 App B Method-115

Missing from EPAs comments but requiring discussion are: EPA requirement to develop RODs for OU1 and OU2, Is land application permitted by EPA, Feasibility of LTP removal.

#### NMED

- Restrictions on land application
- Regulatory authority for groundwater cleanup activities (Section 1.1.3.1 of CAP)
- POC and Monitoring well locations

#### NRC

- Regulatory authority for groundwater cleanup activities (Section 1.1.3.1 of CAP)
- CAP does not include all POC wells required by License Condition 35B.
- Timeliness of evaluation of alternative technologies

If we need to add other topics to the list for discussion, we can do that. This list will at least get us started.