



GARY E. JOHNSON
GOVERNOR

State of New Mexico **ENTERED**
ENVIRONMENT DEPARTMENT

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PETER MAGGIORE
SECRETARY

PAUL R. RITZMA
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

May 31, 2000

Dr. John C. Browne
Los Alamos National Laboratory
P.O. Box 1663, MS-A100
Los Alamos, NM 87545

Mr. David Gurule,
Los Alamos Area Office-Department of Energy
528 35th Street
Los Alamos, NM 87544

**RE: POST-FIRE ENVIRONMENTAL RESTORATION AND NATURAL HAZARD
MITIGATION ACTIVITIES AT LOS ALAMOS NATIONAL LABORATORY**

Dear Dr. Browne and Mr. Gurule:

As a member of the Multi-Agency Coordination (MAC) Team of the Burned Area Emergency Rehabilitation (BAER) Team, and the steward of New Mexico's water quality, the New Mexico Environment Department (NMED) is concerned about the potential long- and short-term environmental effects of the recent Cerro Grande Fire. As the administrative authority for the Department of Energy / Los Alamos National Laboratory's (DOE/LANL's) Operating and Corrective Action Permit under the federal Resource Conservation and Recovery Act (RCRA), NMED is particularly concerned about these effects as they relate to and result from LANL's activities. Specifically, NMED believes that without immediate mitigation measures, floodwaters and debris flows emanating from burned watersheds have potential to cause significant water quality impacts to the Rio Grande. DOE and LANL have a responsibility to wisely and expeditiously assess and protect contaminated sites from weather events that could move great quantities of contamination in both sediment and surface waters.

In order to fulfill our statutory and regulatory responsibilities, and to expedite mitigation implementation, NMED requests the following information concerning DOE/LANL's activities with respect to the Cerro Grande Fire:

- An inventory of all potential release sites, including solid waste management units, areas of concern, hazardous waste management operating units, operating facilities that treat, store, dispose, or otherwise manage hazardous or radioactive materials, and any other contaminated



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sites (collective referred to as "sites") that were directly affected by the fire or that could be impacted by erosion or debris flows resulting from fire-impacted areas. We suggest this information be supplemented by GIS coverage overlays on existing maps showing burn intensity, burned areas, and other pertinent information.

- A prioritization scheme of which sites are the most threatened, and how DOE/LANL proposes to mitigate the threats. My staff have already had informal discussions with DOE/LANL regarding this issue, but require a clearer and more global picture of the overall approach being used. NMED intends to be involved in DOE/LANL's prioritization and planning efforts.
- An interim plan of preliminary erosion controls being implemented (e.g., temporary impoundments, sediment traps, tree felling), with timely reporting as they are implemented.

In addition, NMED requests access for my staff to conduct sampling in and around sites, including canyon bottoms, to assess the contaminants contained in soil, ash, waters, and vegetation. We plan to begin our sampling June 2, 2000, and would appreciate receiving access for appropriate personnel before then. We understand the safety issues involved at the burned areas, and the need to protect personnel from hazards associated with the fire's aftermath. Although my staff will certainly try to accommodate DOE/LANL's phased in approach to access to selected technical areas, NMED considers it crucial that DOE/LANL expedite access to all areas. Be advised that staff who will be conducting the sampling have 40 hour OSHA training, LANL Employee Training, and Rad-Worker Training. Some have L- or Q-clearances as well.

NMED recognizes that certain delays and shifting of priorities will likely occur once the effects of the fire on LANL have been fully ascertained. NMED expects, however, that environmental restoration activities approved by NMED prior to the fire will continue. NMED stands ready to assist DOE/LANL in any way possible to advance our mutual goal of mitigating the adverse effects of the Cerro Grande Fire. Please contact Paul Ritzma (827-2855) or Greg Lewis (827-1758) of my staff should you have any questions.

Sincerely,



Peter Maggiore
Cabinet Secretary
New Mexico Environment Department

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cc: J. Davis, NMED SWQB
G. Lewis, NMED WWMD
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