

General



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Telephone (505) 428-2500
Fax (505) 428-2567
www.nmenv.state.nm.us



JOHN D'ANTONIO, Jr.
SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

December 12, 2002

Mr. Everett Trollinger, Project Manager
Office of Los Alamos Site Operations
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, New Mexico 87544

Dr. John C. Browne, Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, New Mexico 87545

**SUBJECT: CLARIFICATION REGARDING NO FURTHER ACTION REQUESTS
FOR MESA TOP SOLID WASTE MANAGEMENT UNITS AND AREAS
OF CONCERN AND DOWNGRADE CONTAMINATION RELEASES
IMPACTING CANYONS
LOS ALAMOS NATIONAL LABORATORY NM0890010515**

Dear Mr. Trollinger and Dr. Browne:

This letter is to clarify the New Mexico Environment Department (NMED) position regarding no further action (NFA) requests of mesa top solid waste management units (SWMUs) and areas of concern (AOCs) that have or may have contributed to releases of hazardous waste, hazardous constituents, mixed waste or solid wastes to canyon bottoms (contamination). NMED has in the past approved several RCRA Facility Investigation, Voluntary Corrective Action or Voluntary Corrective Measure reports that proposed NFA at specific sites. Included in these documents were proposals by the Permittees for NFA determinations on the subject sites. Despite approval of the reports, be advised that NMED will not grant NFAs on SWMUs and AOCs that may have contributed to contamination found in canyon systems or that have documented contaminant releases to a canyon system until contamination downgradient from the applicable mesa top SWMUs and AOCs are fully delineated and if necessary, remediated.



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If you have any questions, please contact Neelam Dhawan at (505) 428-2540.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:jry

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
J. Kieling, NMED HWB
J. Young, NMED HWB
J. Davis, NMED SWQB
M. Leavitt, NMED GWQB
J. Parker, NMED DOE OB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
J. Vozella, DOE OLASO, MS A316
N. Quintana, LANL RRES-ER, MS M992
D. McInroy, LANL RRES-ER, MS M992
B. Ramsey, LANL RRES-DO, MS J591
D. Stavert, LANL RRES-DO, MS J591
file: Reading and HSWA LANL General (NF A)