



Environmental Programs
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RECEIVED
JUN 2007
NMED Hazardous
Waste Bureau

National Nuclear Security Administration
Los Alamos Site Office, MS A316
Environmental Restoration Program
Los Alamos, New Mexico 87544
(505) 667-4255/FAX (505) 667-5948

Date: June 15, 2007
Refer To: EP2007-0368

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

Subject: Submittal of Response to the Notice of Violation concerning the 21-Day Watershed Sampling Requirement

Dear Mr. Bearzi:

This letter provides the response required by the New Mexico Environment Department (NMED) in the Notice of Violation (NOV) issued on June 1, 2007, concerning the 21-day watershed sampling requirement for Water Canyon. The Laboratory's response includes confirmation that the required sampling has been accomplished, lab-wide actions by the Laboratory Director and specific actions by the Environmental Programs directorate.

Per the email from Tina Behr-Andres to James Bearzi, June 1, 2007, the Laboratory has completed the May Water Canyon groundwater and base flow sampling event required by the groundwater monitoring work plan under the Consent Order.

To ensure that all Laboratory programs support water sampling requirements in the future, the Laboratory Director, Michael Anastasio, has formally directed (see attached) Laboratory Associate Directors to provide access to Environmental Programs staff to meet the Consent Order requirement for sampling watersheds within the 21 day period. In addition, Director Anastasio has emphasized the priority and importance of complying with the Consent Order in his June 11th address to all Laboratory employees.

To ensure that the Laboratory's Environmental Programs (EP) Directorate effectively coordinates and accomplishes sampling requirements, the EP Associate Director has taken or will take the following actions:



- Established the LANL Water Stewardship Program's (LWSP) Operations Program Manager as the responsible manager for scheduling and tracking both groundwater and base flow sampling,
- Directed that the LWSP Operations Program Manager communicate the water sampling requirements and schedule to each Laboratory organization that must allow access for water sampling, and
- Directed the LWSP Operations Program Manager to establish a water sampling performance metric to track how far ahead of the requirement sampling is being accomplished (the Laboratory's goal is to plan completion sufficiently in advance of the requirement date so that any unforeseen delays can be accommodated and sampling can still be completed on time).

In addition, the EP Associate Director will direct all EP organizations implementing the Consent Order to ensure that all Consent Order requirements are visible and tracked. Program Managers will identify any requirement that may not be met and will immediately elevate the matter to EP management's attention so additional resources and leadership attention can be directed toward achieving compliance.

The EP Associate Director and the Environment, Health, Safety, and Quality Associate Director will review all Laboratory metrics that track Consent Order and other environmental requirements to ensure that the Laboratory's performance meets all expectations.

Finally, to ensure that groundwater sampling requirements are visible to senior Laboratory leadership, the Director has directed EP to include the groundwater sampling metric (described above) on the LANL Metrics Dashboard which the director reviews each month.

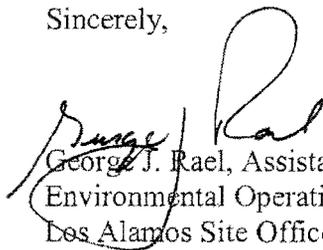
We believe that the above actions provide a satisfactory resolution of the violation. If you have questions, please contact Susan Stiger at (505) 606-2337 (sgstiger@lanl.gov), Richard Watkins at (505) 667-4218 (rswatkin@lanl.gov) or George Rael at (505) 667-4255 (grael@doeal.gov).

Sincerely,



Susan G. Stiger, Associate Director
Environmental Programs
Los Alamos National Laboratory

Sincerely,



George J. Rael, Assistant Manager
Environmental Operations
Los Alamos Site Office

SGS/DRG/JE:sm

Enclosure: 1) Memo from Michael Anastasio to Laboratory Associate Directors

Cy: (w/enc.)

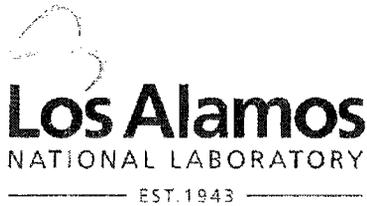
George Rael, DOE/LASO, MS A316
Mat Johansen, DOE-LASO, MS A316
Michael Anastasio, DIR, MS A100
Jan Van Prooyen, DIR, MS A100
Dan Glenn, PADWP, MS A107
Richard Watkins, ADESHQ, MS K491
Susan Stiger, ADEP, MS J591
Carolyn Mangeng, ADEP, MS J591
Jean Dewart, EP-LWSP, MS C349
Tina Behr-Andres, EP-LWSP, MS M992
EP-LWSP, MS M992
RPF, MS M707
Public Reading Room, MS M992

Cy: (Letter and Water Sampling Data CD only)

Laurie King, EPA Region 6, Dallas, TX
Steve Yanicak, NMED-OB, White Rock, NM
Peggy Reneau, EP-ERSS, MS M992

Cy: (w/o enc.)

Tom Skibitski, NMED-OB, Santa Fe, NM
Bonita Eichorst, DOE-LASO (date-stamped copy emailed)
Alison M. Dorries, ERSS-DO, MS M992
Danny Katzman, EP-LWSP, MS M992
Matt Riggs, EP-LWSP, MS M992
Mike Alexander, ERSS-RS, MS K497
Alethea Banar, ERSS-RS, MS K497
Ryan Romero, ERSS-RS, MS K497
Ardyth Simmons, EP-LWSP, MS M992
Robert King, ERSS-GS, MS M992
Deborah Woitte, LC-LESH, MS A187
Lisa Cummings, DOE-LASO, MS A316
IRM-RMMSO, MS A150
ADEP File



memorandum

Office of the Director

To/MS: Distribution
From/MS: Jan A. Van Prooyen (A100)
Phone/Fax: 7-5101/5-2679
Symbol: DIR-07-171
Date: June 15, 2007

A handwritten signature in black ink, appearing to read "Jan A. Van Prooyen", written over the typed name in the distribution information.

Subject: Experimental Area Access for Environmental Programs Water Sampling

Under the Consent Order with the New Mexico Environment Department (NMED), the Laboratory is required to perform periodic water sampling within specific time windows. To accomplish this, Environmental Programs (EP) must receive timely access to monitoring wells and stations in LANL experimental areas. EP will communicate access requests through the FOD plan of the week/day meetings. In cases where weather or similar circumstances delay sampling, EP will seek your support in securing limited notice access to your experimental areas.

By this memo, I am requesting that you to work with EP to ensure mutually agreed upon access is achieved so that LANL compliance commitments can be met. To confirm that the Laboratory is meeting its Consent Order sampling commitments, EP has added a sampling/reporting timeliness performance metric to the LANL dashboard.

Environmental Compliance is not discretionary. Please promptly elevate to ADEP, or me, any issues which may preclude full compliance with our Consent Order with NMED.

MRA/SGS:bc

Distribution:

Associate Director, Nuclear and High Hazard Operations
Associate Director, Weapons Physics
Associate Director, Weapons Engineering
Associate Director, Stockpile Manufacturing and Support
Associate Director, Threat Reduction
Associate Director, Infrastructure and Site Services

Cy:

Principal Associate Director, Science, Technology & Engineering
Principal Associate Director, Weapons Program
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Associate Director, Environmental Programs
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