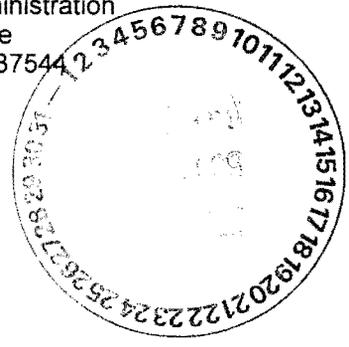


General



DEPARTMENT OF ENERGY
National Nuclear Security Administration
Los Alamos Site Office
Los Alamos, New Mexico 87544



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

Dear Mr. Bearzi:

Subject: Request for Review and Confirmation of Order on Consent Milestones for Los Alamos National Laboratory

The purpose of this letter is to request your review of the enclosed Order on Consent milestones for the period of FY 2009-2011. The Los Alamos Site Office and Los Alamos National Security, have developed a comprehensive list of milestones that are included in our tracking system. While the FY2010 Stipulated Milestones review are included in the enclosed list, we are preparing a separate response for negotiations next week.

Your expedited review of the milestones listed in the enclosure and confirmation that they are complete and comprehensive is required before American Recovery and Reinvestment Act funds can be released.

If you have any questions or comments you may contact me at (505) 606-0397 grael@doeal.gov or David Gregory at (505) 667-5805.

Sincerely,

George J. Rael,
Assistant Manager
Environmental Operations

EO:15GR-008

Enclosures

cc w/enclosures:
J. Lehr, HQ/FORS, NA-56
R. Snyder, OOM LASO

D. Gregory, EM,LASO
M. Graham,ADEP,LANS, MS-M991
Records Center, LASO

Enclosures:

- 1) CO Milestone list
- 2) EPA Milestone list
- 3) Revised Stipulated Penalty list

Completed FY 2009 Major Consent Order Deliverables

| No | Document | Submitted Date |
|----|--|----------------|
| 1 | Response to Notice of Disapproval for Material Disposal Area G Soil Vapor Extraction Test Status Report, September 15, 2008 (EP2008-0494) | 10/8/2008 |
| 2 | Preliminary Field Data for Active Pilot Tests Conducted in Support of the Work Plan for Implementation of an In Situ Soil Vapor Extraction Test at Technical Area 54, Material Disposal Area | 10/8/2008 |
| 3 | Supplemental Interim Measures Work Plan to Mitigate Contaminated Sediment Transport in Los Alamos and Pueblo Canyons | 10/17/2008 |
| 4 | September 2008 Progress Report Corrective Measures Study for Potential Release Site 16-021(c)-99 | 10/17/2008 |
| 5 | Response to Notice of Disapproval for the Investigation Work Plan for Threemile Canyon Aggregate Area | 10/23/2008 |
| 6 | Investigation Work Plan for Threemile Canyon Aggregate Area, Revision 1 | 10/23/2008 |
| 7 | Review of September 2008 Groundwater Data | 10/23/2008 |
| 8 | Pueblo Canyon Aggregate Area Phase II Investigation Work Plan | 10/24/2008 |
| 9 | Well Completion Report for R-25b | 10/27/2008 |
| 10 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area L, Solid Waste Management Unit 54-006, at Technical Area 54, for Third Quarter FY08 | 10/27/2008 |
| 11 | Pilot Test Report for Evaluating Soil-Vapor Extraction at Material Disposal Area G at Technical Area 54 | 10/31/2008 |
| 12 | Los Alamos Site Monitoring Area 2 Interim Measure and Monitoring Plan | 11/3/2008 |
| 13 | LANL Chromium Update November 2008 | 11/13/2008 |
| 14 | Phase II Investigation Work Plan for Middle Los Alamos Canyon Aggregate Area | 11/14/2008 |
| 15 | Supplemental Investigation Work Plan for Consolidated Units 16-007(a)-99 and 16-008(a)-99 at Technical Area 16 | 11/15/2008 |
| 16 | Well Summary Data Sheet R-43 Borehole Stratigraphy and R-43 AS-Built Well Construction Diagram | 11/17/2008 |
| 17 | October 2008 Corrective Measures Study Progress Report for Potential Release Site 16-021(c), the 260 Outfall | 11/24/2008 |
| 18 | Proof of Inspection of Erosion Controls in Drainages to the 90s Line Pond | 11/26/2008 |
| 19 | Review of October 2008 Groundwater Data | 11/26/2008 |
| 20 | Periodic Monitoring Report for Ancho Watershed, April 7-April 21, 2008 | 11/26/2008 |
| 21 | Periodic Monitoring Report for Mortandad Watershed, May 12-May 19, 2008 | 11/26/2008 |
| 22 | Periodic Monitoring Report for Sandia Watershed, May 12-May 19, 2008 | 11/26/2008 |
| 23 | Periodic Monitoring Report for Pajarito Watershed, June 9-June 25, 2008 | 11/26/2008 |
| 24 | Response to Notice of Disapproval (NOD) Delta Prime Site Aggregate Area Phase II Work Plan | 12/12/2008 |
| 25 | Delta Prime Site Aggregate Area Phase II Work Plan, Revision 1 | 12/12/2008 |
| 26 | Completion Report for R-25b, Revision 1 | 12/15/2008 |

Completed FY 2009 Major Consent Order Deliverables

| No | Document | Submitted Date |
|-----------|--|-----------------------|
| 27 | Monthly Progress Report Corrective Measures Study (CMS)/Corrective Measures Implementation (CMI) for Consolidated Unit 16-021(c)-99 November 2008 | 12/18/2008 |
| 28 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area G, at Technical Area 54, for Fiscal Year 2008 | 12/18/2008 |
| 29 | Well Summary Data Sheet R-39 Borehole Stratigraphy and R-39 As-Built Well Construction Diagram | 12/22/2008 |
| 30 | Completion Report for Regional Aquifer Well R-38 | 12/22/2008 |
| 31 | Review of November 2008 Groundwater Data | 12/22/2008 |
| 32 | Response to Notice of Disapproval Corrective, Measures Evaluation Report (CME) for Material Disposal Area G, Solid Waste Management Unit 54-013(b)-99, at Technical Area 54 | 12/24/2008 |
| 33 | Investigation Report for Middle Canada del Buey Aggregate Area | 1/14/2009 |
| 34 | Monthly Progress Report Corrective Measures Study (CMS)/Corrective Measures Implementation (CMI) for Consolidated Unit 16-021(c)-99 December 2008 | 1/15/2009 |
| 35 | Response to Notice of Disapproval for Phase II Investigation Report for the TA-16-340 Complex [Consolidated Units 13-003(a)-99 and 16-003(n)-99 and Solid Waste Management Units 16-003(o), | 1/22/2009 |
| 36 | Phase II Investigation Report for the TA-16-340 Complex [Consolidated Units 13-003(a)-99 and 16-003(n)-99 and Solid Waste Management Units 16-003(o), 16-026(j2), and 16-029(f)], Revision 1 | 1/22/2009 |
| 37 | Completion Report for Regional Aquifer Well R-42 | 1/26/2009 |
| 38 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area L, Solid Waste Management Unit 54-006, at Technical Area 54, for Fiscal Year 2008 | 1/28/2009 |
| 39 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area H, at Technical Area 54, Fiscal Year 2008 | 1/28/2009 |
| 40 | Review of December 2008 Groundwater Data | 1/28/2009 |
| 41 | Response to Notice of Disapproval for the Pilot Test Report for Evaluating Soil-Vapor Extraction at Material Disposal Area G at Technical Area 54 | 1/30/2009 |
| 42 | Pilot Test Report for Evaluating Soil-Vapor Extraction at Material Disposal Area G at Technical Area 54, Revision 1 | 1/30/2009 |
| 43 | Field Work Plan for Well R-22 Rehabilitation and Conversion | 1/30/2009 |
| 44 | Well Summary Data Sheet R-40 Borehole Stratigraphy and R-40 As-Built Well Construction Diagram | 2/4/2009 |
| 45 | Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area T, Consolidated Unit 21-016(a)-99, Technical Area 21, Fiscal Year 2008 | 2/13/2009 |
| 46 | Well Summary Data Sheet R-44 Borehole Stratigraphy and R-44 As-Built Well Construction Diagram | 2/13/2009 |
| 47 | Work Plan for Installation of Storm Water Controls [Corrective Action with Controls for AOC 00-030(f)] | 2/17/2009 |
| 48 | Pilot Test Report for Comparing Packer and FLUTe Vapor-Monitoring Systems at Material Disposal Area H, Revision 1 | 2/18/2009 |
| 49 | Monthly Progress Report Corrective Measures Study (CMS)/Corrective Measures Implementation (CMI) for Consolidated Unit 16-021(c)-99 January 2009 | 2/20/2009 |
| 50 | Los Alamos Canyon Low-Head Weir Ecological Risk Screening | 2/20/2009 |
| 51 | Status of the Three Shallow Groundwater Wells at Solid Waste Management Units 03-010(a) and 03-001(e) | 2/20/2009 |
| 52 | Well Summary Data Sheet R-45 Borehole Stratigraphy and R-45 As-Built Well Construction Diagram | 2/20/2009 |

Completed FY 2009 Major Consent Order Deliverables

| No | Document | Submitted Date |
|----|--|----------------|
| 53 | Review of January 2009 Groundwater Data | 2/23/2009 |
| 54 | Periodic Monitoring Report for Mortandad Watershed, August 11-August 20, 2008 | 2/26/2009 |
| 55 | Periodic Monitoring Report for Sandia Watershed, August 11-August 20, 2008 | 2/26/2009 |
| 56 | Periodic Monitoring Report for Los Alamos Watershed, August 25-September 5, 2008 | 2/26/2009 |
| 57 | Periodic Monitoring Report for Pajarito Watershed, September 8-September 19, 2008 | 2/26/2009 |
| 58 | Periodic Monitoring Report for White Rock Watershed, September 25-October 2, 2008 | 2/26/2009 |
| 59 | Periodic Monitoring Report for Water Canyon/Canon de Valle Watershed, October 7-October 24, 2008 | 2/26/2009 |
| 60 | Phase II Investigation Work Plan for Middle Los Alamos Canyon Aggregate Area, Revision 1 | 2/27/2009 |
| 61 | Well Completion Report for Well R-38, Revision 1 | 2/27/2009 |
| 62 | Drilling Work Plan for Intermediate Aquifer Well PCI-2 | 2/27/2009 |
| 63 | Response to the Denial of Request for Extension for Submittal of the Response to the New Mexico Environment Department's Request for Information Regarding Material Disposal Area A Subsurface | 2/27/2009 |
| 64 | IWP (Lower Mortandad/Canada del Buey Aggregate Area) (Addressed by NMED letter Approval re: Investigation Work Plan for Lower Mortandad/Canada del Buey Aggregate Area) | 2/27/2009 |
| 65 | TW-8 Pumping Test Work Plan | 3/10/2009 |
| 66 | Demonstration of LAI-TA-53 Well Completion (See also Notification of Completion and Well Summary Data Sheet 53-li Borehole Stratigraphy and 53-li As Built Construction Diagram submitted 4/10/09) | 3/10/2009 |
| 67 | Numerical Analysis of the Soil-Vapor Extraction Test at Material Disposal Area G, Technical Area 54 | 3/11/2009 |
| 68 | Completion Report for Wells R-43 and SCI-2 | 3/16/2009 |
| 69 | Response to Notice of Disapproval for Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area H, Solid Waste Management Unit 54-004, at Technical Area 54 | 3/18/2009 |
| 70 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area H, Solid Waste Management Unit 54-004, at Technical Area 54, Revision 1 | 3/18/2009 |
| 71 | Compilation of New Groundwater Data Not Previously Reported, Listed by Month of Report | 3/19/2009 |
| 72 | Monthly Progress Report Corrective Measures Study (CMS)/Corrective Measures Implementation (CMI) for Consolidated Unit 16-021(c)-99 February 2009 | 3/19/2009 |
| 73 | Well Summary Data Sheet R-46 Borehole Stratigraphy and R-46 As-Built Well Construction Diagram | 3/19/2009 |
| 74 | Review of February 2009 Groundwater Data | 3/19/2009 |
| 75 | Drilling Work Plan for Intermediate Aquifer Well PCI-2, Revision 1 | 3/20/2009 |
| 76 | 2009 General Facility Information Report | 3/26/2009 |
| 77 | Completion Report for Regional Aquifer Well R-46 | 3/30/2009 |
| 78 | Status Report on Actions Completed to Date on the Interim Measure Work Plan to Mitigate Contaminated Sediment Transport in Los Alamos and Pueblo Canyons | 3/31/2009 |

Completed FY 2009 Major Consent Order Deliverables

| No | Document | Submitted Date |
|-----------|--|-----------------------|
| 79 | Documentation of Willow Plantings | 3/31/2009 |
| 80 | Observation Plan for the Demolition of the Bayo Canyon Wastewater Treatment Plant, Area of Concern 00-018(b), by Los Alamos County | 4/6/2009 |
| 81 | Investigation Report for Middle Canada del Buey Aggregate Area, Revision 1 | 4/6/2009 |
| 82 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area L, Solid Waste Management Unit 54-006, at Technical Area 54, for First Quarter Fiscal Year 2009 | 4/8/2009 |
| 83 | Demonstration of PCI-2 Well Completion (See also Notification of Completion and Well Summary Data Sheet PCI-2 Borehole Stratigraphy and PCI-2 As-Built Well Construction Diagram submitted | 4/9/2009 |
| 84 | Notification of Completion and Well Summary Data Sheet 53-li Borehole Stratigraphy and 53-li As Built Construction Diagram | 4/10/2009 |
| 85 | Phase III Investigation Work Plan for Material Disposal Area T, Consolidated Unit 21-016(a)-99 | 4/17/2009 |
| 86 | Well Summary Data Sheet R-41 Borehole Stratigraphy and R-41 As-Built Well Construction Diagram | 4/17/2009 |
| 87 | Periodic Monitoring Report for Vapor-Sampling Activities for Material Disposal Area H, Solid Waste Management Unit 54-004, at Technical Area 54, First Quarter Fiscal Year 2009 | 4/22/2009 |
| 88 | Monthly Progress Report Corrective Measures Study (CMS)/Corrective Measures Implementation (CMI) for Consolidated Unit 16-021(c)-99 March 2009 | 4/22/2009 |
| 89 | Completion Report for Regional Aquifer Well R-39 | 4/22/2009 |
| 90 | Sampling and Aanalysis Plan Material Risk Direct-Push Tech at Material Disposal Area B | 4/23/2009 |
| 91 | Response to Denial for Request for Extension to Submit Revised CME Report MDA G | 4/24/2009 |
| 92 | Fieldwork Plan for Well R-22 Redevelopment, Phase I | 4/27/2009 |
| 93 | Review of March 2009 Groundwater Data | 4/29/2009 |
| 94 | Investigation Work Plan for Potrillo/Fence Canyons Aggregate Area | 4/30/2009 |
| 95 | Investigation Work Plan for Lower Sandia Canyon Aggregate Area | 4/30/2009 |
| 96 | Historical Investigation Work Plan for Lower Sandia Canyon Aggregate Area | 4/30/2009 |
| 97 | Historical Investigation Report for Potrillo/Fence Canyons Aggregate Area | 4/30/2009 |
| 98 | Work Plan to Plug and Abandon Canon de Valle Well CdV-16-2(i) | 5/1/2009 |
| 99 | Phase II Investigation Report for Material Disposal Area C, Solid Waste Management Unit 50-009, at Technical Area 50 | 5/7/2009 |
| 100 | Response to the Notice of Disapproval Periodic Monitoring Report for Pajarito Watershed; September 8-September 19, 2008, and Replacement Pages | 5/8/2009 |
| 101 | Notification of Completion and Well Summary Data Sheet PCI-2 Borehole Stratigraphy and PCI-2 As-Built Well Construction Diagram | 5/11/2009 |
| 102 | Vadose Zone Subsurface Characterization and Vapor-Monitoring Well Installation Work Plan for Material Disposal Area V, Consolidated Unit 21-018(a)-99 | 5/18/2009 |
| 103 | Response to the Approval with Modifications, Phase III Work Plan for Material Disposal Area T, Consolidated Unit 21-016(a)-99 | 5/19/2009 |
| 104 | Monthly Progress Report Corrective Measures Study (CMS)/Corrective Measures Implementation (CMI) for Consolidated Unit 16-021(c)-99 April 2009 | 5/22/2009 |

Completed FY 2009 Major Consent Order Deliverables

| No | Document | Submitted Date |
|-----|--|----------------|
| 105 | Response to the Notice of Disapproval Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area (MDA) L, Solid Waste Management Unit 54-006, at Technical Area 54, First | 5/22/2009 |
| 106 | Response to the Notice of Disapproval Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area (MDA) G, at Technical Area 54, for Fiscal Year 2008 and Replacement Pages | 5/22/2009 |
| 107 | Review of April 2009 Groundwater Data | 5/22/2009 |
| 108 | Periodic Monitoring Report for Ancho Watershed, October 15-24, 2008 | 5/29/2009 |
| 109 | Periodic Monitoring Report for Mortandad Watershed, November 3-30, 2008 | 5/29/2009 |
| 110 | Periodic Monitoring Report for Sandia Watershed, November 3-20, 2008 | 5/29/2009 |
| 111 | Periodic Monitoring Report for Pajarito Watershed, December 2-18, 2008 | 5/29/2009 |
| 112 | Periodic Monitoring Report for Los Alamos Watershed, January 7-22, 2009 | 5/29/2009 |
| 113 | Completion Report for Regional Aquifer Well R-44 | 6/1/2009 |
| 114 | Completion Report for Regional Aquifer Well R-45 | 6/1/2009 |
| 115 | 2009 Interim Facility-Wide Groundwater Monitoring Plan | 6/1/2009 |
| 116 | Investigation Report for Upper Los Alamos Canyon Aggregate) | 6/1/2009 |
| 117 | Completion Report for Regional Aquifer Well R-40 | 6/4/2009 |
| 118 | Interim Measures Work Plan for Plugging and Abandonment of Intermediate Groundwater Well MCOBT-4.4 | 6/12/2009 |
| 119 | Phase II Investigation and Remediation Work Plan for MDA A | 6/15/2009 |
| 120 | Response Notice of Disapproval for the Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area H, Solid Waste Management Unit 54-004, at Technical Area 54, First Quarter | 6/19/2009 |
| 121 | Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area H, Solid Waste Management Unit 54-004, at Technical Area 54, First Quarter Fiscal Year 2009, Revision 1 | 6/19/2009 |
| 122 | May 2009 CMS Progress Report (16-021(c) the 260 Outfall) | 6/22/2009 |
| 123 | Review of May 2009 Groundwater Data | 6/25/2009 |

Proposed Documents Subject to Stipulated Penalties for Fiscal Year (FY) 2010 Pursuant to Section III.G.1 of the March 1, 2005 Compliance Order on Consent (Consent Order)

| | Deliverable | Consent Order Submittal Date | Cross walk to FY2009-2011 Major Consent Order Deliverables Pending |
|----|---|------------------------------|--|
| 1 | Pajarito Canyon Sediment Monitoring Work Plan | 10/1/2009 | Item 44 |
| 2 | Monitoring Plan to Support Sediment Transport Mitigation in Los Alamos and Pueblo Canyons | 10/15/2009 | Item 45 |
| 3 | Delta Prime Site Aggregate Area Phase II Investigation Report | 1/31/2010 | Item 65 |
| 4 | MDA T 4 Qtr Periodic Vapor Monitoring Report | 4/30/2010 | Item 72 |
| 5 | Summary Report for 2009 Remedial Activities for 260 Outfall (SWMU 16-021(c)-99) | 3/1/2010 | Item 68 |
| 6 | Completion Report for DP Canyon Grade Control Structure | 3/1/2010 | Item 67 |
| 7 | Completion Report for Pueblo Canyon Grade Control Structure and Replacement of Monitoring Station E060 | 3/1/2010 | Item 67 |
| 8 | Completion Report for Sediment Removal and Sampling from LA-SMA-2 | 5/1/2010 | Item 74 |
| 9 | Upper Sandia Canyon Aggregate Area Investigation Report | 5/30/2010 | Item 76 |
| 10 | SWMUs 49-001(a-g), 49-003, AOC C-49-008(d) (MDA AB, Areas 1, 3, 4, 11, and 12) Investigation Report | 5/31/2010 | Item 78 |
| 11 | SWMUs 49-005(a), 49-006, AOCs C-49-002, C-49-005(b), C-49-008(a,b) (Areas 5, 6 and 10) Investigation Report | 5/31/2010 | Item 77 |
| 12 | Pueblo Canyon Aggregate Area Phase II Investigation Report | 6/30/2010 | Item 80 |
| 13 | Lower Pajarito Canyon Aggregate Area Investigation Work Plan | 7/31/2010 | Item 81 |
| 14 | S-Site Aggregate Area investigation Report | 8/31/2010 | Item 83 |
| 15 | SWMU 50-009 (MDA C) Remedy Completion Report | 9/5/2010 | Item 84 |

FY2009-2011 Major Consent Order Deliverables Pending

| No | Document | Due Date |
|-----------|---|-----------------|
| 1 | Investigation Report (North Canyons) | 6/30/2009 |
| 2 | General Facility Information Component #9 Hydrogeologic Site Atlas | 6/30/2009 |
| 3 | June 2009 CMS Progress Report (16-021(c) the 260 Outfall) | 7/22/2009 |
| 4 | Response to Notice of Disapproval for the Investigation Work Plan for Lower Sandia Canyon Aggregate Area | 7/23/2009 |
| 5 | Investigation Work Plan for Lower Sandia Canyon Aggregate Area, Revision 1 | 7/23/2009 |
| 6 | Response to Notice of Disapproval Investigation Work Plan for Potrillo and Fence Canyons Aggregate Area | 7/24/2009 |
| 7 | Investigation Work Plan for Potrillo and Fence Canyons Aggregate Area, Revision 1 | 7/24/2009 |
| 8 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area L for Second Quarter Fiscal Year 2009 | 7/27/2009 |
| 9 | Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area H, Solid Waste Management Unit 54-004, at Technical Area 54, Second Quarter Fiscal Year 2009 | 7/27/2009 |
| 10 | Review of June 2009 Groundwater Data | 7/29/2009 |
| 11 | Documentation Soil Removal Los Alamos Canyon Low-Head Weir | 7/31/2009 |
| 12 | MDA T Periodic Vapor Monitoring Report | 7/31/2009 |
| 13 | Completion of Surface Water Retention Structures, Juniper Bales Enhancements, and Emplacement of Monitoring (LA-SMA-2) | 8/1/2009 |
| 14 | Completion Report for Plugging and Abandonment Well CdV-16-2(i) | 8/21/2009 |
| 15 | July 2009 CMS Progress Report (16-021(c) the 260 Outfall) | 8/22/2009 |
| 16 | Review of July 2009 Groundwater Data | 8/29/2009 |
| 17 | Well R-22 Rehabilitation and Conversion Summary Report | 8/31/2009 |
| 18 | FINAL Response to Notice of Disapproval Pajarito Canyon Investigation Report | 8/31/2009 |
| 19 | Pajarito Canyon Investigation Report, Revision 1 | 8/31/2009 |
| 20 | Periodic Monitoring Report (Mortandad Watershed, Q4 FY09) | 8/31/2009 |
| 21 | Periodic Monitoring Report (Sandia Watershed, Q4 FY09) | 8/31/2009 |
| 22 | Periodic Monitoring Report (Pajarito Watershed, Q4 FY09) | 8/31/2009 |
| 23 | Periodic Monitoring Report (Water Watershed, Q4 FY09) | 8/31/2009 |
| 24 | Periodic Monitoring Report (Ancho Watershed, Q4 FY09) | 8/31/2009 |
| 25 | General Facility Information Component #9 Hydrogeologic Site Atlas | 8/31/2009 |
| 26 | Investigation Report (Sandia Canyon) | 8/31/2009 |
| 27 | Engineering Design Drawings for the DP Canyon and Pueblo Canyon Grade Control Structure (Approval w/Mods SIWP 9a and 9c) | 8/31/2009 |

FY2009-2011 Major Consent Order Deliverables Pending

| No | Document | Due Date |
|-----------|--|-----------------|
| 28 | Work Plan for Additional Investigations at Material Disposal Area H, SWMU 54-004, at Technical Area 54 to Define the Extent of Contamination | 8/31/2009 |
| 29 | Documentation Completed Pilot Wing Ditch (Approval wMods SIWP 9f) | 9/1/2009 |
| 30 | Documentation of Surface Water Retention Structures, Juniper Bales Enhancements, and Emplacement of Monitoring (LA-SMA-2) | 9/1/2009 |
| 31 | Completion Report for Well PCI-2 | 9/6/2009 |
| 32 | Periodic Monitoring Report for Vapor-Sampling Activities at Material Disposal Area H, Solid Waste Management Unit 54-004, at Technical Area 54, Third Quarter Fiscal Year 2009 | 9/8/2009 |
| 33 | Intermediate Well MCOBT-4.4 Plug and Abandonment Completion Report | 9/15/2009 |
| 34 | Corrective Measures Evaluation Report for Material Disposal Area G, Consolidated Unit 54-013(b)-99, at Technical Area 54, Revision 1 | 9/18/2009 |
| 35 | Phase III Investigation Report for Material Disposal Area T, Consolidated Unit 21-016(a)-99 | 9/18/2009 |
| 36 | August 2009 CMS Progress Report (16-021(c) the 260 Outfall) | 9/22/2009 |
| 37 | Review of August 2009 Groundwater Data | 9/29/2009 |
| 38 | Upper Mortandad Canyon Aggregate Area Investigation Report | 9/29/2009 |
| 39 | Investigation Report for North Ancho Canyon Aggregate Area | 9/30/2009 |
| 40 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area L for Third Quarter Fiscal Year 2009 | 9/30/2009 |
| 41 | Direct Push Technology Report, MDA B | 9/30/2009 |
| 42 | DP Site Aggregate Area Deferred Sites Investigation Work Plan | TBD |
| 43 | Documentation of Completed Construction of Three Cross Vane Structures in Pueblo Canyon (Approval wMods 9b) | 10/1/2009 |
| 44 | Pajarito Canyon Sediment Monitoring Work Plan | 10/1/2009 |
| 45 | Monitoring Plan to Support Sediment Transport Mitigation Activities in Los Alamos and Pueblo Canyons | 10/15/2009 |
| 46 | September 2009 CMS Progress Report (16-021(c) the 260 Outfall) | 10/22/2009 |
| 47 | Review of September 2009 Groundwater Data | 10/29/2009 |
| 48 | MDA T Periodic Vapor Monitoring Report | 10/30/2009 |
| 49 | IWP (Lower Mortandad/Cedro Canyon Aggregate Area) | 10/31/2009 |
| 50 | IWP (Chaquehui Canyon Aggregate Area) | 11/30/2009 |
| 51 | 2009 Annual Inspection Report for Erosion Controls in Drainages to the 90s Line Pond, Consolidated Unit 16-008(a)-99 | 11/30/2009 |
| 52 | 2009 Biennial Asphalt Inspection Report | 12/31/2009 |
| 53 | Completion of Sediment Removal (SWMU 01-001(f)) | 12/31/2009 |
| 54 | 2009 Annual Inspection Report for Erosion Controls in Drainages to the Fishladder, 16-003(o) | 12/31/2009 |

FY2009-2011 Major Consent Order Deliverables Pending

| No | Document | Due Date |
|-----------|---|-----------------|
| 55 | 2009 Biennial Visual Survey Report | 12/31/2009 |
| 56 | MDA AB Well No. 2 Well Completion Report | 12/31/2009 |
| 57 | R-30 Well Completion Report | 12/31/2009 |
| 58 | Completion of Pueblo Canyon Grade Control | 12/31/2009 |
| 59 | Supplemental Investigation Report for Consolidated Units 16-007(a)-99 and 16-008(a)-99 | 1/7/2010 |
| 60 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area G for Fiscal Year 2009 | 1/28/2010 |
| 61 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area H for Fiscal Year 2009 | 1/28/2010 |
| 62 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area L for Fourth Quarter Fiscal Year 2009 | 1/28/2010 |
| 63 | MDA T Periodic Vapor Monitoring Report | 1/30/2010 |
| 64 | IWP (Twomile Canyon Aggregate Area) | 1/31/2010 |
| 65 | Delta Prime Site Aggregate Area Phase II Investigation Report | 1/31/2010 |
| 66 | Well Completion Report (CdV-R-15-1 & CdV-16-3(i)) | 2/28/2010 |
| 67 | Documentation of Completed DP Canyon, Pueblo Canyon Grade Control Structure, and Replacement of Monitoring Station E060 (Approval wMods SIWP 9a and 9d) | 3/1/2010 |
| 68 | 260 Outfall (16-021(c)) Surface CMI Report | 3/1/2010 |
| 69 | Summary of Well Plug & Abandonment Activities (TW-1, TW-1a, TW-2, TW-2a) | 3/15/2010 |
| 70 | 2010 General Facility Information | 3/31/2010 |
| 71 | Documentation of Completion of Rock Armoring of Steam Banks in South Fork of Acid Canyon (Approval wMods SIWP 9g) | 4/30/2010 |
| 72 | MDA T Periodic Vapor Monitoring Report | 4/30/2010 |
| 73 | 260 Outfall (16-021(c)) Surface CMI Long term Monitoring and Maintenance Plan | 4/30/2010 |
| 74 | Sediment Removal Report (SWMU 01-001(f)) | 5/1/2010 |
| 75 | Annual Update of Interim Facility-Wide Groundwater Monitoring Plan (2010) | 5/30/2010 |
| 76 | Investigation Report for Upper Sandia Canyon Aggregate Area | 5/30/2010 |
| 77 | Investigation Report (SWMUs 49-005(a), etc. | 5/31/2010 |
| 78 | Investigaton Report (SWMUs 49-001(a-g), etc. | 5/31/2010 |
| 79 | Investigation Report for Threemile Canyon Aggregate Area | 6/30/2010 |
| 80 | Pueblo Canyon Aggregate Area Phase II Investigation Report | 6/30/2010 |
| 81 | IWP (Lower Pajarito Aggregate Area) | 7/31/2010 |

FY2009-2011 Major Consent Order Deliverables Pending

| No | Document | Due Date |
|-----------|---|------------------|
| 82 | IWP (Upper Water Canyon Aggregate Area) | 8/31/2010 |
| 83 | Investigation Report (S-Site Aggregate Area) | 8/31/2010 |
| 84 | Remedy Completion Report (MDA C) | 9/5/2010 |
| 85 | IWP (Starmer/Upper Pajarito Aggregate Area) | 9/30/2010 |
| 86 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area L 2010 (4 Reports, one each quarter) | 1 each quarter |
| 87 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area H 2010 (4 Reports, one each quarter) | 1 each quarter |
| 88 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area G FY 2010 | 1 each year |
| 89 | Periodic Monitoring Reports 2010 (Q1, Q2, Q3, Q4 for each applicable watershed) | 3-4 each quarter |
| 90 | IWP (Frijoles Canyon Aggregate Area) | 10/31/2010 |
| 91 | 2010 Annual Inspection Report for Erosion Controls in Drainages to the 90s Line Pond, Consolidated Unit 16-008(a)-99 | 11/30/2010 |
| 92 | Investigation Report for Upper Canada del Buey Aggregate Area | 11/30/2010 |
| 93 | Remedy Completion Report (MDA T) | 12/19/2010 |
| 94 | Investigation Report South Canyons (Water/Canon de Valle) | 12/31/2010 |
| 95 | Remedy Completion Report (MDA B) | 12/31/2010 |
| 96 | 2010 Annual Inspection Report for Erosion Controls in Drainages to the Fishladder, 16-003(o) | 12/31/2010 |
| 97 | Investigation Report (Ancho/ Chaquehui/ Indio Canyons) | 2/28/2011 |
| 98 | Remedy Completion Report (MDA A) | 3/11/2011 |
| 99 | 2010 General Facility Information | 3/31/2011 |
| 100 | Phase II Investigation Report for Middle Los Alamos Canyon Aggregate Area | 3/31/2011 |
| 101 | Annual Update of Interim Facility-Wide Groundwater Monitoring Plan (2011) | 5/30/2011 |
| 102 | Remedy Completion Report (MDA V) | 6/2/2011 |
| 103 | Remedy Completion Report (MDA L) | 7/9/2011 |
| 104 | Investigation Report (Potrillo/Fence Canyons Aggregate Area) | 8/31/2011 |
| 105 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area L 2011 (4 Reports, one each quarter) | 1 each quarter |
| 106 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area H 2011 (4 Reports, one each quarter) | 1 each quarter |
| 107 | Periodic Monitoring Report for Vapor Sampling Activities at Material Disposal Area G FY 2011 | 1 each year |
| 108 | Periodic Monitoring Reports 2011 (Q1, Q2, Q3, Q4 for each applicable watershed) | 3-4 each quarter |

FY2009-2011 Major Consent Order Deliverables Pending

| No | Document | Due Date |
|-----------|--|-----------------|
| 109 | Revised CME for MDA G | TBD |
| 110 | Revised CME for MDA L | TBD |
| 111 | Revised CME for MDA H | TBD |
| 112 | Additional pilot test for SVE at MDA G | TBD |
| 113 | Investigation / Remediation Report for MDA A | TBD |

Consent Order Milestone/Deliverable List
(Past Due Milestones)

| Documents with Past Due Dates in Deliverables Database | Due Date | Status |
|---|-----------|--|
| Well Completion Report for Well R-41 | 8/28/2008 | NMED Complete on 3/19/09; Fact Sheets delivered to NMED on 4/18/09; targeting 120 day turn on the 150 day report to be delivered on 7/15/09. |
| Test Well 8 and MCOBT-4.4 Plug and Abandonment Completion Reports | 8/15/2008 | In Progress for P&A in accordance with Revised MCOBT-4.4P&A Work Plan. Test Well 8 will follow immediately upon completion of MCOBT-4.4. |
| Completion Report for Well R-37 | 1/28/2009 | NMED Complete on 6/6/09; Fact Sheets due to NMED on 7/6/09; targeting 90 day turn on the 150 day report to be delivered on 9/4/09. |
| Completion of Intermediate Well CdV 37-1(i) | 03/31/08 | On Track to complete in FY10. |
| Completion of Intermediate Well R-27i | 03/31/08 | On Track to complete in FY10. |

EPA Deliverable

| EPA Deliverable | Due Date | Note |
|-------------------------------------|------------|--|
| PCB Clean-Up (21-003-99, 21-024(c)) | 11/30/2009 | Results will be reported to NMED as part of Delta Prime Site Aggregate Area Phase II Investigation Report. |

Enclosures

cc w/enclosures:

J. Lehr, HQ/FORS, NA-56

R. Snyder, OOM LASO

D. Gregory, EM,LASO

M. Graham,ADEP,LANS, MS-M991

Records Center, LASO

Enclosures:

- 1) CO Milestone list
- 2) EPA Milestone list
- 3) Revised Stipulated Penalty list