



NEW MEXICO
HEALTH AND ENVIRONMENT

DEPARTMENT

ENVIRONMENTAL IMPROVEMENT DIVISION
Harold Runnels Bldg.-1190 St. Francis Drive
Santa Fe, New Mexico 87503

Richard Mitzelfelt
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Deputy Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

March 7, 1989

Mr. Siegfried S. Hecker
Director
Los Alamos National Laboratory
P.O. Box 1663
Los Alamos, NM 87544

RE: Response to November 23, 1988, Notice of Violation

Dear Mr. Hecker:

Your January 11, 1989, response to the violations listed in the November 23, 1988, Notice of Violation (NOV) has been received and reviewed by the Hazardous Waste Section. The Section has determined that LANL's response adequately addresses, at this time, the violations listed in the NOV.

However, in regard to violation number 9 concerning the lack of groundwater monitoring at the TA-35, buildings 125 and 85 surface impoundments, EID wishes to make clear for the record that these units were in violation at the time of the inspection.

Pursuant to Section 74-4-4.3 of the New Mexico Hazardous Waste Act LANL must, within 10 days, submit the groundwater waiver documentation for the surface impoundments at TA-35 buildings 125 and 85 to EID for review. If EID determines that the waiver is inadequate, the Division reserves its right to initiate an enforcement action.

If you should have any questions, please contact John Gould at



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827-2935. Please also address to Mr. Gould's attention the documentation you submit in response to this letter.

Sincerely,

Boyd Hamilton
Boyd Hamilton
Program Manager
Hazardous Waste Section

BH:JG:aw

cc: Gini Nelson, HED Office of General Counsel
District II Office
Janie Hernandez, EPA (6H-HS)
Kirkland L. Jones, Ph.D., Deputy Director - EID
Jack Ellvinger, Chief, Hazardous Waste Bureau