



LOS ALAMOS COUNTY

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COUNTY ADMINISTRATOR
Joe King

June 25, 1998

James H. Davis, Ph.D., Chief
Surface Water Quality Bureau
New Mexico Environment Department
1190 St. Francis Drive
Santa Fe, New Mexico 87502

RE: Response to Rubble Pile Issues Outlined in May 22, 1998, NMED Letter: Follow-up on Meeting held May 11, 1998, with County of Los Alamos Representatives Concerning the NMED-SWQB Notice of Violation (NOV), dated December 4, 1997.

Dear Dr. Davis,

As promised, this is to provide you Los Alamos County's response to the rubble pile issues raised in paragraph A of the subject letter. Each of the four issues, shown in bold print, will be addressed in the order presented in the subject letter.

1) Written confirmation that interim corrective measures in the form of Best Management Practices (BMPs) would be applied by an indicated date, and maintained at the Rubble Pile area. A record of maintenance by the County for these BMPs shall be established.

This letter confirms that the County intends to apply interim corrective measures in the form of Best Management Practices (BMPs) over the next two months with completion by August 31, 1998. Our proposed plan is described in Attachment 1, Erosion Control and Slope Stability Plan for Rubble Pile Area. You will note that this plan does not address actions to be taken on the south side of the rubble pile. Interim corrective measures for this area will be discussed in paragraph 2) below. Los Alamos County intends to perform monthly inspection and maintenance of the stabilized slopes of the rubble pile, and will maintain a record of these actions on the form provided as Attachment 2.

2) A written agreement with DOE/LANL regarding access needed in order to perform interim corrective measures. A copy of this access agreement or a full explanation of what efforts were made to obtain one and why these efforts failed, will be sent as part of the information required in thirty (30) calendar days.

The requested access agreement is provided as Attachment 3. As this area has been, and may again be, an active construction area, Los Alamos County intends to place interim erosion control measures in the form of silt fencing along the south slopes of the rubble pile by August 31, 1998. Until a formal determination is made by DOE on whether to continue the Sandia Canyon Road

"A Consolidated City and County Government"



Crossing, the County will inspect and maintain a record of maintenance of the silt fencing in the same manner as the stabilized slopes of the rubble pile described above.

3) The County will provide a written statement verifying its restriction of the wastes to be applied to the rubble pile to prevent disposal of unlawful wastes, and how this restriction is to be achieved and monitored.

This letter verifies that Los Alamos County will restrict waste applied to the rubble pile and any future continuation of the Sandia Canyon Road Crossing to concrete debris and clean fill. Henceforth, asphalt materials and other wastes considered unacceptable or unlawful to place in road crossings or rubble piles will be placed in the landfill "pit." Monitoring and enforcement of this policy will be performed daily by landfill personnel, and any offensive materials placed in the area by residents or contractors will be removed prior to leveling of material, which occurs intermittently. Records will be maintained of any unsuitable materials found, on an exception basis, using the form provided as Attachment 4.

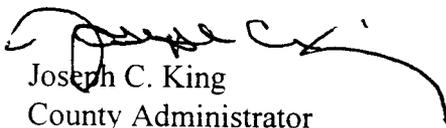
4) The County will provide documentation that work/disposal on the west side of the rubble pile has been terminated, or the certain date by which it will be terminated.

This letter documents that, with the exception of interim erosion control and slope stabilization measures described in Paragraph 1) above, all work/disposal on the west side of the rubble pile was terminated on May 12, 1998. Any future activities in this area not described above will be coordinated with your office prior to initiation of work.

Los Alamos County recognizes our responsibility to develop a final corrective action plan for the rubble pile/road crossing, as well as the other areas identified in the NOV and subsequent correspondence. We will be providing additional documentation along with the plans required to be submitted by the July 10, 1998, deadline described in the subject letter.

We will continue to keep you informed of our progress. With your continued assistance and advice, we are optimistic of achieving a positive resolution of the entire NOV issue. Thank you again for your cooperation, and please call Dave Riker, Public Works Director, at 662-8150, if you have questions or concerns regarding this correspondence.

Sincerely,


Joseph C. King
County Administrator

Attachments:

- 1: Erosion Control and Slope Stability Plan for Rubble Pile Area
- 2: Form: Landfill Rubble Pile Erosion Control Monthly Inspection and Maintenance Report
- 3: County / DOE Access Agreement
- 4: Form: Record of Findings, Unsuitable Materials in Landfill Rubble Pile

cc: David J. Riker, Public Works Director, LA County
Felicia Orth, Assistant County Attorney, LA County
E. Kelley, Director, NMED-WWMD
J. Sloan, NMED-OLC
C. Brown, NMED-SWQB
R. Powell, NMED-SWQB
B. Garcia, NMED-HRMB
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J. Plum, LAAME/LAAO, MS A316
L. Cummings, DOE/LAAO-OC
B. Koch, DOE/LAAO, MS A316
S. Rae, ESH-18, LANL, MS K497
File

Erosion Control and Slope Stability Plan for Rubble Pile Area

Background

A rubble pile, presently inactive, is located in the southwest corner of the area designated as the Los Alamos County Landfill. This rubble pile contains construction and demolition debris from various locations in Los Alamos County. The purpose of this rubble pile is for disposal of construction and demolition debris as well as the fill material for a proposed road crossing of the canyon. The rubble pile has been utilized, until recently. During a recent inspection by the New Mexico Environment Department (NMED), it was discovered that this rubble pile was potentially contaminating the canyon water course. NMED has requested Los Alamos County to stop utilizing the rubble pile until such time as the contamination issues are addressed.

There were four areas that were identified as potentially contaminating the water course. These are the west side, east side, northeast corner and south side of the rubble pile. The contaminant of greatest concern from these four areas is sediment runoff. The following brief paragraphs present the proposed approach to addressing the sediment runoff problem for three of the four areas. The south side of the rubble pile has been previously addressed by others.

Proposed Corrective Action

West Side of Rubble Pile

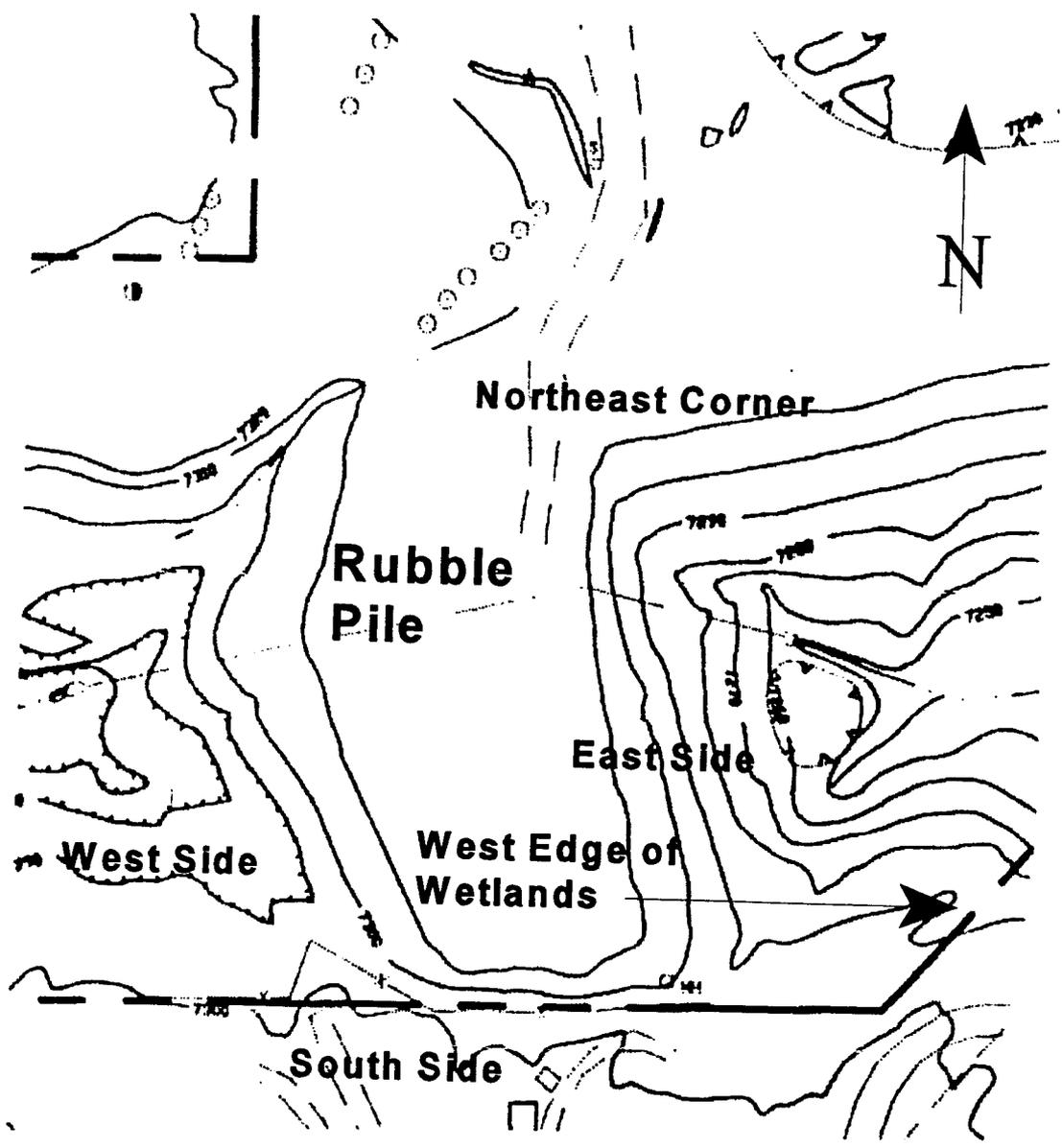
At present, the west side of the rubble pile consists of a very steep side slope. This side slope does not allow for stabilization of the slope to control sedimentation runoff. To address this issue Los Alamos County Landfill staff will cut back the upper portion of the rubble pile to allow for initial stabilization. Once the rubble pile is trimmed back, a minimum of 24 inches of soil will be placed over the west side of the rubble area. The west side will be sloped at a 25% grade. The soil cover will then be disced, fertilized, and seeded to further enhance slope stabilization. At present, it is not intended to extend the existing 84-inch drain pipe.

East Side Rubble Pile

The east side of the rubble pile has a similar steep slope as the west side. To address this problem, it is proposed to remove the section of the existing 84-inch drain pipe that has had its top half removed. This section of pipe will be replaced with a new 84-inch pipe. In addition, the 84-inch pipe will be extended approximately 40 feet downstream from its present location. Once this new pipe is in place, soil will be placed on the side slope to create a slope with a 25% grade. This soil will cover the existing rubble material. The depth of soil will vary from 3 feet to over 6 feet. Once in place, the soil surface will be disced, fertilized and seeded. The extension of the 84-inch pipe will not encroach upon the existing wetlands area. To further control potential velocity scouring from storm water discharging from the 84-inch pipe, baffles will be considered for installation in the pipe. A riprap apron will also be placed at the discharge end of the pipe to eliminate discharge scouring at this location.

Northeast Corner of Rubble Pile

A transition occurs from rubble to municipal solid waste at the northeast corner of the rubble pile. This area has a relatively steep slope. To better control this area, it is proposed to cut away the solid waste to create a flatter slope. This excavated area would be from the toe of the present slope, within the canyon, to the top of the slope. The resulting slope would have a grade of 25% or less. The solid waste removed would be placed in the present landfill cell. The remaining solid waste would be covered with a minimum of 24 inches of soil. Once in place, the soil would be disced, fertilized and seeded. It is anticipated that a minimal amount of work would be conducted within the canyon water course.



Engineering Solutions & Design
3916 Juan Tabo Blvd NE
Albuquerque, NM 87111
(505) 298-1851



LOCATION MAP

ACCESS AGREEMENT

The parties to this Agreement are the Incorporated County of Los Alamos ("the County") and the United States Department of Energy ("DOE") at its Los Alamos Area Office. By Special Use Permit #DE-RO32-94AL96933, DOE granted the County use of government-owned land located on South Mesa above Sandia Canyon in Los Alamos, New Mexico on which to operate a municipal solid waste landfill. Implicit in the Special Use Permit is DOE's reservation of the right of entry onto the land.

This Access Agreement grants the County a right of entry onto and across that area of land abutting the Los Alamos County Landfill immediately to its south, more commonly described as the area between the "rubble pile" and the south bank of Sandia Canyon, or "Area 3.013 A.C.," as shown on the map titled "Los Alamos Sanitary Landfill (Preliminary Drawing", dated January, 1997 ("the property"), for the purpose of the County's installation of interim erosion control measures, as required by the New Mexico Environment Department ("NMED"), including but not limited to the placement of silt fencing and straw bales, as necessary.

The County, its contractors and/or subcontractors and/or the representatives it authorizes, shall have the right to enter the property for the purpose(s) stated above.

Upon completion of the necessary use of the property, the County shall repair and restore any and all areas of the property affected by its use to the property's condition before commencement of the County's use, or as close to its original condition as is reasonably possible; the interim erosion control measures required by NMED shall be considered a favorable action.

Subject to the limitations imposed by the New Mexico Tort Claims Act, NMSA 1978, Sections 41-4-1 et seq., the County shall be responsible for any and all claims, liabilities, losses and/or damages arising out of its access to or use of the property under this Agreement. DOE shall not be liable for any damage, injury, theft, claim or other basis for liability in connection with the County's use of or access to the property except to the extent that such damage, injury or theft arises from the gross negligence or willful acts or omissions of DOE, its contractors, or other invitees.

Any notice from the County to DOE shall be sent by mail or hand-delivered to:

Bonnie Koch
DOE/LAAO, MSA 316
528 35th Street
Los Alamos, New Mexico 87544

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