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Date: July 9, 2009
Refer To: ADEP:09-049

James P. Bearzi, Chief
Hazardous Waste Bureau
New Mexico Environmental Department
2905 Rodeo Park Drive East, Building 1
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Subject: FY2010 Stipulated Penalties Document List

Attached are LASO and LANL proposed revisions to the Federal Fiscal Year 2010 Stipulated Penalties Document List, received June 22, 2009. We propose a correction to one of the due dates based on your letter of May 26, 2009, "Correction Approval with Modifications Phase III Work Plan for MDA T". We also recommend replacement of one of the 15 stipulated penalty documents. We remain committed to meeting Consent Order deliverables; however, the proposed revision reflects the impacts from additional phase of investigation and pilot study required for MDA C. LANL and LASO propose one of the following deliverables as a substitute for the MDA C Completion Report:

- Lower Mortandad/Cedro Canyon Aggregate Area due 10/31/2009
- Supplemental Investigation Report for Consolidated Units 16-007(a)-99 and 16-008(a)-99 due 1/7/2010
- Well completion report for CdV-R-15-1 due 2/28/2010

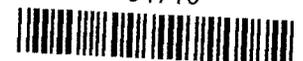
We appreciate the opportunity to discuss these milestones with you before they are finalized and we are available to meet with you on the attached revisions if you so desire.

Sincerely,

Michael Graham, Associate Director
Environmental Programs
Los Alamos National Laboratory

Sincerely,

David Gregory, Project Director
Environmental Operations
Los Alamos Site Office



	Deliverable	Consent Order Submittal Date	LANL/LASO Comments
1	Pajarito Canyon Sediment Monitoring Work Plan	10/1/2009	Concur with proposal
2	Monitoring Plan to Support Sediment Transport Mitigation in Los Alamos and Pueblo Canyons	10/15/2009	Concur with proposal
3	Delta Prime Site Aggregate Area Phase II Investigation Report	1/31/2010	Concur with proposal
4	MDA T Final Periodic Vapor Monitoring Report for 2009	2/13/2010 <u>4/30/2010</u>	Due date based on NMED letter dated 5/26/2010
5	Summary Report for 2009 Remedial Activities for 260 Outfall (SWMU 16-021(c)-99) *	3/1/2010	Concur with proposal
6	Completion Report for DP Canyon Grade Control Structure	3/1/2010	Concur with proposal
7	Completion Report for Pueblo Canyon Grade Control Structure and Replacement of Monitoring Station E060	3/1/2010	Concur with proposal
8	Completion Report for Sediment Removal and Sampling from LA-SMA-2	5/1/2010	Concur with proposal
9	Upper Sandia Canyon Aggregate Area Investigation Report	5/30/2010	Concur with proposal
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	Concur with proposal
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	Concur with proposal
12	Pueblo Canyon Aggregate Area Phase II Investigation Report	6/30/2010	Concur with proposal
13	Lower Pajarito Canyon Aggregate Area Investigation Work Plan	7/31/2010	Concur with proposal
14	S-Site Aggregate Area Investigation Report	8/31/2010	Concur with proposal
15	SWMU 50-009 (MDA C) Remedy Completion Report <u>Lower Mortandad/Cedro Canyon Aggregate Area, or</u> <u>Supplemental Investigation Report for Consolidated Units 16-007(a)-99 and 16-008(a)-99, or</u> <u>Well completion report for CdV-R-15-1</u>	9/5/2010 <u>10/31/2009</u> <u>1/7/2010</u> <u>2/28/2010</u>	Due to additional phase of investigation and pilot study required by NMED; the due date for this report should be "Pending" consistent with Consent Order Table XII-1 for MDA H and L

*Direction from NMED pending