

Permit

LAM Permit  
and Consent Order

 ENTERED

**Cobrain, Dave, NMENV**

**From:** Cobrain, Dave, NMENV  
**Sent:** Tuesday, October 09, 2012 3:11 PM  
**To:** 'Roberts, Kathryn M'  
**Cc:** Kieling, John, NMENV; Wear, Benjamin, NMENV; George, Victoria A; Davis, Jim, NMENV; Dhawan, Neelam, NMENV  
**Subject:** RE: SWMU boundary information

Katie,

Thanks for the written response. One to two weeks is the same time frame committed to by the Permittees in late July. Ben Wear has not been contacted regarding this matter since August 16<sup>th</sup>. As a reminder, the Permittees are required to maintain accurate information with regard to SWMU and AOC boundaries since these units are listed on the Permit (Permit Section 1.9.7). This information is subject to the requirements of Permit Section 1.9.16 and, by reference, 20.4.1.900 NMAC (incorporating 40 CFR 270.11). NMED considers changing the boundaries of SWMUs and AOCs listed on the permit to be, at a minimum, a class 1\* permit modification due to the possibility of contaminated locations being excluded from within the boundaries of a listed unit based on such an alteration.

This requirement is subject to the Consent Order since any change to a SWMU or AOC boundary could affect corrective action decisions. Consent Order Section V.B requires the Respondents to provide " maps depicting all current and former TAs, SWMUs and AOCs". Such changes could render inaccurate maps and descriptions provided in documents submitted under the Consent Order. In addition, arbitrarily changing the boundaries of units identified in previous submittals without notifying NMED and without NMED approval could affect corrective action decisions and NMED's ability to process requests for certificates of completion and to defend the completion of corrective action at any site listed on the Permit. Prior to NMED's request for this information last June, NMED was unaware that the Permittees did not consider the Facility SWMU and AOC boundaries to be fixed. NMED appreciates the Permittees' hard work in downloading and emailing the requested shape files from the LANL database. The results of this work will allow NMED to complete the review of the Permittees' requests for certificates of completion.

Dave

Main HWB Phone: 505-476-6000  
Direct Office Phone: 505-476-6055  
Fax: 505-476-6030 or 505-476-6060

---

**From:** Roberts, Kathryn M [<mailto:kroberts@lanl.gov>]  
**Sent:** Friday, October 05, 2012 1:14 PM  
**To:** Cobrain, Dave, NMENV  
**Cc:** Kieling, John, NMENV; Wear, Benjamin, NMENV; George, Victoria A; Davis, Jim, NMENV  
**Subject:** RE: SWMU boundary information

Dave,

We do intend to provide the SWMU/AOC shapefile to NMED as soon as possible. As I'm sure Ben told you, we've been working diligently to ensure the SWMU/AOC boundary information is up to date and accurate. I've been in contact with Ben via phone and email over the last two months to keep him apprised of our progress.

Once we were notified of the request, we dedicated staff resources to updating this information and have made significant progress over the last several weeks. We should be able to provide this data in approximately 1-2 weeks at the most. Although not a regulatory requirement under the Consent Order, we are committed to providing any information



you may need to respond to requests from the public. I know we both believe that information provided to the public should be the most current, accurate information available.

Again, we are working very hard to respond to NMED's request. I will continue to update Ben (and you) on our progress. Please feel free to contact me anytime regarding this matter.

Thanks,  
Katie

---

**From:** Cobrain, Dave, NMENV [dave.cobrain@state.nm.us]  
**Sent:** Friday, October 05, 2012 11:21 AM  
**To:** Roberts, Kathryn M  
**Cc:** Kieling, John, NMENV; Wear, Benjamin, NMENV; George, Victoria A; Davis, Jim, NMENV  
**Subject:** SWMU boundary information

Katie,

It's closing on four months since we requested the SWMU boundary location information and about two and a half months since the last time Brad McKown committed to send the data to HWB. Will LANL send HWB the SWMU boundary GIS data to enable HWB to accurately and more efficiently respond to IPRA requests similar to the requests we received last spring related to Phase 1 ESAs? Please let me know when we can expect to receive the data or if LANL has elected not to send the requested information. I would appreciate your email response to this request. Thanks.

Dave

Main HWB Phone: 505-476-6000  
Direct Office Phone: 505-476-6055  
Fax: 505-476-6030 or 505-476-6060