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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 20, 2007

David Gregory
Federal Project Director
Los Alamos Site Office
DOE/NNSA
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

David McInroy
Remediation Services Deputy Project Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop M992
Los Alamos, NM 87545

**RE: APPROVAL WITH DIRECTION
INVESTIGATION REPORT FOR GUAJE/BARRANCAS/RENDIJA CANYONS,
REVISION 1
LOS ALAMOS NATIONAL LABORATORY, EPA ID #NM0890010515
HWB-LANL-06-014**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the U.S. Department of Energy and the Los Alamos National Security, LLC's (collectively, the "Permittees") *Investigation Report for Guaje/Barrancas/Rendiya Canyons Aggregate Area at Technical Area 00, Revision 1* [hereafter, Report] dated November 2007, and referenced by LA-UR-07-7820/EP2007-0720. NMED has reviewed the document and hereby issues this approval with direction. Due to the the uncertainty associated with any munitions and explosives of concern (MEC) surveys, the Permittees must conduct biennial visual surveys (starting in October of 2009) at the former firing sites (solid waste management units (SWMUs) 00-011(a, c, d, and e) and area of concern (AOC) C-00-020 to identify and remove any MEC or munitions debris (MD) that



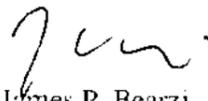
may have been exposed due to erosion, brought to the surface by frost heave/other geologic processes, or uncovered by human or animal activity. Every two years, the Permittees must also inspect AOC C-00-041 and remove any additional asphalt and tar that may be unearthed by storm events or other erosion.

In a response (General Comments Response#2), the Permittees imply that SWMUs and AOCs addressed in this Report do not have a potential to impact surface water yet no evidence (e.g., storm water data) is offered to support the assertion. The Permittees must therefore conduct storm water monitoring at sites 00-011(a, c, d, and e), AOC C-00-020, and AOC C-00-041 by collecting four samples from separate storm events to quantify potential contaminant transport by storm water. The active channel at AOC-C-00-041 contains visible asphalt debris and a tar-like substance that seeps from the channel walls in some locations. It is therefore likely that this site affects surface water. The Permittees must submit a work plan to NMED no later than April 1, 2008, proposing storm water monitoring at these sites that includes all methods and procedures to be used for sample collection and analyses. The work plan must also propose a schedule for reporting the data to NMED.

For those areas where MEC is potentially present, the Permittees must develop a procedure to work with Los Alamos County, the U.S. Forest Service, and other land owners when construction activities are proposed (e.g., infrastructure building, land development) to ensure public safety. The procedures must also use institutional controls such as the posting of warning signs in these areas with contact information in case MEC is discovered by the public. Because removal of 100% of MEC is not guaranteed, NMED will not agree to unrestricted land use for the sites

Following each biennial inspection and/or removal of MEC, MD and/or asphalt, the Permittees must submit a report documenting how the inspection was conducted, the area covered, and the type and volume of waste removed, including maps illustrating the location of any MEC identified and removed during the inspection. All such submittals must be submitted by December 31st of the inspection year and be in the form of two paper copies and one electronic copy in accordance with section XIA of the Consent Order. Should you have any questions regarding this letter, please contact John Young (505) 476-6038.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Young, NMED HWB

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