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NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Hazardous Waste Bureau*

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RON CURRY  
Secretary

JON GOLDSTEIN  
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 7, 2009

David Gregory  
Federal Project Director  
Los Alamos Site Office  
Department of Energy  
528 35<sup>th</sup> Street, Mail Stop A316  
Los Alamos, NM 87544

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

**RE: APPROVAL WITH MODIFICATIONS FOR SEDIMENT REMOVAL  
AT THE LOS ALAMOS CANYON LOW HEAD WEIR  
LOS ALAMOS NATIONAL LABORATORY (LANL),  
EPA ID #NM0890010515  
HWB-LANL-08-004**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Supplemental Interim Measures Work Plan to Mitigate Contaminated Sediment Transport in Los Alamos and Pueblo Canyons* (Plan), dated October 2008 and referenced by LA-UR-08-6588/EP2008-0519. NMED has reviewed the portion of the Plan pertinent to the excavation of sediment from behind the Los Alamos/Pueblo Canyon low head weir and the land application of the removed sediment. NMED approves the aforementioned portion of the Plan subject to the following modifications.

The Permittees must submit a comparison of all detected analytes to the approved Ecological Screening Levels (ESL) to NMED a minimum of seven days prior to the commencement of the field work. While the sediment passes all residential human risk factors, NMED requires an assessment of the sediment for ecological risk factors. If the sediment does not pass the ESLs, then the Permittees are not authorized to land apply the sediment. Additionally, the Permittees

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must ensure that appropriate engineering controls are in place to prevent the sediment from eroding and reentering the stream channel.

Please contact Kristen Van Horn at (505) 476-6046 should you have any questions.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

cc:

D. Cobrain, NMED HWB  
K. Roberts, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
T. Skibitski, NMED DOE OB  
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file: Reading and LANL'08