

**Kay, Rebecca, NMENV**

**From:** Dhawan, Neelam, NMENV  
**Sent:** Thursday, February 12, 2009 4:18 PM  
**To:** Kay, Rebecca, NMENV  
**Subject:** FW: Inquiry regarding 3 SWMUs in ULAC

Neelam Dhawan  
 Environmental Specialist, Hazardous Waste Bureau  
 New Mexico Environment Department  
 2905, Rodeo Park Drive East, Building 1  
 Santa Fe, NM 87505  
 Phone (505) 476-6042 / Fax (505) 476-6030  
 Main HWB Phone (505) 476-6000

**From:** paloverdeapp@aol.com [mailto:paloverdeapp@aol.com]  
**Sent:** Thursday, February 12, 2009 4:12 PM  
**To:** Dhawan, Neelam, NMENV  
**Subject:** Re: Inquiry regarding 3 SWMUs in ULAC

Neelam,

Thanks for the words this was my understanding also....as an appraiser, I have to disclose what is known about a property and then the "new" prospective owner decides if they want the property or not.

My issue is that this information was not disclosed when many of the people in the Los Arboles buyers bought in. I am asking them to give an explanation for this. It appears that the Los Alamos County/Harris Builders knew and did not pass on this information to the people involved.

Katherine Guidry

-----Original Message-----

**From:** Dhawan, Neelam, NMENV <neelam.dhawan@state.nm.us>  
**To:** Verde, Palo <Paloverdeapp@aol.com>  
**Cc:** Kay, Rebecca, NMENV <Rebecca.Kay@state.nm.us>  
**Sent:** Thu, 12 Feb 2009 4:06 pm  
**Subject:** RE: Inquiry regarding 3 SWMUs in ULAC

Katherine,

I saw your email and wanted to clarify that although NMED has concerns about the residual contamination and has asked Laboratory to conduct Phase II investigations. NMED is not conducting the sampling. Laboratory's contractor LATA is doing testing for the Laboratory, not for NMED. Laboratory will submit a report to NMED after samples have been collected and analyzed. NMED will review the

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results and determine if residual contamination poses any risk to human health or the environment.  
thx, neelam

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**From:** paloverdeapp@aol.com [mailto:paloverdeapp@aol.com]  
**Sent:** Monday, February 09, 2009 11:24 AM  
**To:** Dhawan, Neelam, NMENV  
**Subject:** Re: Inquiry regarding 3 SWMUs in ULAC

Dan,

This is more of the information sent from the NMED. I am also sending the map to help orient you from the 1950's. The old Patrol Road is just about where the Las Ventanas apartment buildings are now.

The demolition debris is thought to include materials from X and D buildings in addition to general household waste and animals (per Stretch Fretwell...he remembers this being where the horses that died were thrown out) D building is the first plutonium processing plant.

There are two concerns I am raising regarding this site.

Number 1 - Is the area safe? Do we have reports that truly reflect what was put into that landfill. Standards that were accepted at the time of the placement of toxic materials needs to be re-examined. This is in part what NMED is doing. There is concern that the addition of water draining from the town site down this area can set up a toxic problem. This water has various chemical elements that come from grounds being seeded or various types of odd fertilizers. What is the banks plan if indeed the Phase 2 audit reveals this area as not safe for residential housing?

Number 2 - Who was told of this landfill before purchasing in Los Arboles? This is my third time to purchase a home here. I am a co-owner of unit #35 and have previously owned #41 and #46. Nowhere in the closing papers of any of these properties was I told the property was on a landfill. I later worked with the Northern New Mexico Citizens Advisory Board to the Dept. of Energy and in that role I found there had been a landfill in the "vicinity"....was not told that the landfill had taken toxic waste.

I have been told by a former information officer in ER, Paul Schumann, that when the hotel was placed where the restaurant Hot Shots formerly was that in every meeting this subject was brought up to avoid the complaint that they were not informed of the proximity to the SWMU (solid waste management unit) Why were we not given the same information?

My mail was held by the post office for over a year without explanation and I did not receive notice of the meetings to the public on this issue. My first notice came in September of 2008. This letter was from Mr. Elder and stated that NMED had concerns on the SWMU's in this area. He stated that the HOA board had decided to let LATA (doing the testing for NMED) on

the property for testing only and that if there were to be any remediation work the board would not allow access from the top of the canyon on our common area.

This situation is one that I think needs further explanation from our lenders and title companies. I am preparing a letter to all who co-own the common area and give them the information that I have received. I would like to include in this information your banks position on the dangers and on the lack of information when we purchased.

As I mentioned on the phone I have an agreement with Bill Enloe to share information such as this with the bank before going public. This plus the need to know what the banks position is important to me.

Thank you for your attention to this20 matter,

Katherine Guidry  
505 412-7563

-----Original Message-----

From: Dhawan, Neelam, NMENV <[neelam.dhawan@state.nm.us](mailto:neelam.dhawan@state.nm.us)>  
To: Verde, Palo <[Paloverdeapp@aol.com](mailto:Paloverdeapp@aol.com)>  
Cc: Kay, Rebecca, NMENV <[Rebecca.Kay@state.nm.us](mailto:Rebecca.Kay@state.nm.us)>  
Sent: Tue, 9 Dec 2008 3:26 pm  
Subject: RE: Inquiry regarding 3 SWMUs in ULAC

Katherine

< font size="2">My apologies for misspelling your name. I'm enclosing a copy of my Nov 21, 2008 response to your enquiry.

Please feel free to contact me at (505) 476-6042 should you have any questions.

Neelam

-----Original Message-----

From: Kay, Rebecca, NMENV  
Sent: Friday, November 21, 2008 8:44 AM  
To: Verde, Palo  
Cc: Dhawan, Neelam, NMENV  
Subject: FW:

Kathryn

This is a follow up of our conversation this morning regarding investigations being conducted at some SWMUs that are near your house. These sites are included in a document entitled Investigation Work Plan for Upper Los Alamos Canyon Aggregate Area (IWP). The document is available at our website (Rebecca sent you a link to the website), and the document ID # is 7783. You can use this number to search for the document. It has historical information on each of the sites you were interested in.

SWMU 01-003(a), Bailey Bridge Landfill was used for disposal of demolition debris from 1964-1978. The area was covered with 4 ft of fill and housing were built. The SWMU is now under pavement and buildings of Loma Vista Condominium complex. Phase I investigation was conducted in 1992. After review of Phase I investigation, some questions remained unanswered, hence Phase II investigation. Phase II investigation is being done now to collect more samples to define the nature and extent of contamination. The report is due to NMED in May, 2009. NMED will review the Phase II investigation report, when submitted and decide whether additional remediation work is required at these SWMUs.

I need the entire number of other SWMUs you wanted information on, e.g., there are 11 SWMUs that are numbered 01-001 (i.e., a,b, c, d, e, f, g, o, s, t, and u) and are included in this IWP. Similarly there are nine SWMU that are numbered 01-006 (i.e., a, b, c, d, e, g, h, n, and o). The background on all these sites is included in the IWP.

Give me a call if you have any further questions.

Neelam

2/13/2009

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**From:** Kay, Rebecca, NMENV  
**Sent:** Tuesday, December 09, 2008 3:08 PM  
**To:** Dhawan, Neelam, NMENV  
**Subject:** FW: Inquiry regarding 3 SWMUs in ULAC

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**From:** paloverdeapp@aol.com [mailto:paloverdeapp@aol.com]  
**Sent:** Tuesday, December 09, 2008 1:17 PM  
**To:** Kay, Rebecca, NMENV  
**Subject:** Re: Inquiry regarding 3 SWMUs in ULAC

Hi Rebecca,

thought we might meet today and then it snowed...

I wanted you to know my name is Katherine Guidry...as opposed to Kathryn

and also that I received the follow up from Naheem and now can not find it...can you resend it please.

hoping your having a wonderful season

Katherine Guidry

-----Original Message-----

From: Kay, Rebecca, NMENV <Rebecca.Kay@state.nm.us>  
To: Verde, Palo <Paloverdeapp@aol.com>  
Sent: Thu, 20 Nov 2008 12:13 pm  
Subject: FW: Inquiry regarding 3 SWMUs in ULAC

Hello Neelam -

Kathryn Guidry is wondering if you could please email her the document titles (and associated Administrative Index numbers) that address the status of the investigation for Upper Los Alamos Canyon (SWMUs 01-003(a), 01-001, and 01-006).

Kathryn, NMED's link to the Administrative Record (AR) is as follows: <http://66.111.108.163/lanl/mainPage.action>

Please note that all documents dated prior to July 2007 may be found electronically. All documents dated after July 2007 are in the AR but would need to be accessed physically here in our library at 2905 Rodeo Park Drive East Building 1. You may contact John Kieling at 476.6035 to set up an appointment to look at such documents

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here at our office.

I hope this helps and you receive the information you are looking for. If we can be of any other assistance, please do not hesitate to call or email!

And we look forward to your participation in the Albuquerque Listening Session December 9<sup>th</sup> at the Loma Linda Community Center (see attached flier for more information).

Thanks for your inquiry and we have enjoyed working with you.

Sincerely,  
Rebecca Kay

Rebecca Kay  
NMED- Hazardous Waste Bureau  
2905 Rodeo Park Drive East  
Building 1  
Santa Fe, NM 87505

Phone: 505.476.6040  
Fax: 505.476.6030

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