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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

August 12, 2009

David Gregory
Federal Project Director
Los Alamos Site Office
Department of Energy
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, MS M992
Los Alamos, NM 87545

**RE: CONCURRENCE WITH LAND TRANSFER OF TRACT A-13 (LAAO-2 WEST)
LOS ALAMOS NATIONAL LABORATORY
EPA ID #NM0890010515**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the U. S. Department of Energy, National Nuclear Security Administration, Los Alamos Site Office's (LASO) written notice of intent to transfer Tract A-13 (LAAO-2 West) to the County of Los Alamos (LAC). According to the information provided by LASO, two solid waste management units (SWMUs) 00-003 and 00-012 and one area of concern (AOC) 00-030(i) are located on the Tract A-13. The size of the tract is approximately 8.8 acres.

The corrective measures performed at these sites were documented in the *VCA Completion Report for Consolidated Unit 00-003-99 (PRS 00-003 and PRS 00-012) and PRS 00-030(i)*, referenced by LA-UR-01-2034/ER2001-0347 and dated May 2001. The report was approved by NMED on January 30, 2002. Subsequently, a Class 3 Permit Modification Request to remove these sites from Los Alamos National Laboratory (LANL) RCRA Permit was submitted on September 30, 2002 (referenced by ER2002-0683). NMED approved the Request and removed these sites from the Tables A and B of the Permit on September 5, 2003.



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In accordance with Section III.Y.1.a of the Consent Order, representatives of NMED, DOE, LAC, and LANL held a phone conference on August 6, 2009 to discuss the transferee's intended use of the property. The transferee intends to use the land for high density residential development or mixed (residential plus commercial) development. NMED has determined that the corrective measures implemented at these sites are protective of human health and the environment in light of the transferee's intended use. NMED concurs with the transfer of property because there is no known unacceptable threat to human health or the environment from documented contamination at the sites.

Should you have any questions, please contact Neelam Dhawan at (505) 476-6042.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: N. Dhawan, NMED HWB
D. Cobrain, NMED HWB
J. Kieling, NMED HWB
S. Yanicak, NMED DOE OB, MS M894
L. King, EPA 6PD-N
G. Rael, DOE LASO, MS A316
V. Loucks, DOE LASO, MS A316
file: Reading and LANL '09 (Land Transfer, Tract A-13)