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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

September 24, 2009

David Gregory, Federal Project Director
Department of Energy
Los Alamos Site Office
3747 West Jemez, Mail Stop A316
Los Alamos, New Mexico, 87544

David McInroy
Remediation Services Deputy Director
Los Alamos National Security, LLC
P.O. Box 1663, Mail Stop J591
Los Alamos, New Mexico 87545

**RE: PUEBLO CANYON AND DP CANYON
GRADE CONTROL STRUCTURES DESIGN
LOS ALAMOS NATIONAL LABORATORY
EPA ID# NM0890010515
LANL-HWB-08-047**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the Los Alamos National Security, L.L.C. and U.S. Department of Energy (the Permittees) documents entitled *Submittal of the Engineering Design Drawings for the DP Canyon and Pueblo Canyon Grade-Control Structures* dated August 31, 2009 (referenced by EP2009-0419) and the supplemental e-mail containing revised design drawings from Cheryl Rodriguez of the U.S. Department of Energy dated September 18, 2009. The correspondence also included a request to extend the due date for installation of the grade control structures from December 31, 2009 to January 30, 2010.

The grade control structure descriptions are required by NMED's *Approval with Modifications Supplemental Interim Measure Work Plan (SIWP) to Mitigate Contaminated Sediment Transport in Los Alamos and Pueblo Canyons* dated February 20, 2009. Based on the descriptions provided and the design drawings, the proposed grade-control structures appear capable of

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Messrs. Gregory and McInroy

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achieving surface water flow reductions in Pueblo and DP Canyons and therefore will likely reduce sediment and contaminant transport toward the Rio Grande.

NMED understands that the elevation of the spillway of the Pueblo Canyon grade-control structure will be raised from an elevation of 6340 feet as shown on the design drawings to an elevation of 6342 feet. NMED also understands that gaging stations E039 and E060 will be constructed immediately downstream of the DP Canyon and Pueblo Canyon grade-control structures, respectively.

NMED hereby approves the revised due date of January 30, 2010 for completion of installation of the grade-control structures. The March 30, 2010 submittal due date for the construction completion report must still be met.

Please contact Dave Cobrain of my staff at (505) 476-6055 if you have questions.

Sincerely,



James P. Bearzi

Chief

Hazardous Waste Bureau

JPB:dc

cc: D. Cobrain, NMED HWB
K. Roberts, NMED HWB
R. Ford-Schmid, NMED DOE OB
S. Yanicak, NMED DOE OB, MS M894
G. Saums, NMED SWQB
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R. Gallegos, City of Santa Fe

file: Reading and LANL General (Los Alamos and Pueblo Canyons, Surface Water)