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FEB 2010

National Nuclear Security Administration
Los Alamos Site Office, MS A316
Environmental Restoration Program
Los Alamos, New Mexico 87544
(505) 667-4255/FAX (505) 606-2132

Date: FEB 05 2010
Refer To: EP2010-0057

James Bearzi, Bureau Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Subject: Completion of Pueblo Canyon and DP Canyon Grade-Control Structures and Request for Extension to submit Completion Documentation Report

Dear Mr. Bearzi:

The purpose of this letter is to notify the New Mexico Environment Department (NMED) of the completion of the construction phase for the Pueblo Canyon and DP Canyon grade-control structures and to request an extension of the completion report due date for both grade control structures and associated replacement stream gages (E060 and E039). NMED's February 20, 1999, Approval with Modifications, Supplemental Interim Measure Work Plan (SIWP) to Mitigate Contaminated Sediment Transport in Los Alamos and Pueblo Canyons requires that the completion report for both structures and the E060 replacement gage be submitted by March 1, 2010. This due date was subsequently incorporated into the Fiscal Year 2010 stipulated penalties list.

Construction of the Pueblo and DP Canyons grade-control structures was completed on January 26, 2010. This meets the extended completion date of January 30, 2010, approved by NMED in the September 24, 2009, response letter. Construction of replacement E060 and E039 gage stations began January 11, 2010; however, inclement weather has caused delays in completing construction of the two gage stations. The construction contractor has evaluated current field conditions and concluded that the frozen sediment in both the Pueblo Canyon and DP Canyon channels will delay the implementation of the work. The main concerns are obtaining the proper soil compaction beneath the gage station flumes and temperature control for pouring the concrete flumes, both of which will impact the integrity of the gage stations.

The contractor proposes to work as weather permits; however, the presence of the endangered Mexican spotted owl and the required field surveys for the owl will further delay construction activities in DP Canyon from March 1, 2010, until owl surveys are complete on or before May 15, 2010. In the event that a nesting pair of owls is observed, work will begin after the fledglings have left the nest. Given this constraint, efforts will be made to finish construction of the E039 replacement stream gage by February 28, 2010, if weather and ground conditions allow.

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Construction of the E060 replacement gage in Pueblo Canyon requires a substantial amount of compaction; therefore, construction activities are constrained by the frozen channel sediment and cannot begin until the sediment is adequately thawed. Because Pueblo Canyon does not have the same endangered species constraint as DP Canyon, work can continue through May 2010, if needed. Work in Pueblo Canyon will begin as soon as the channel sediment thaws.

Based on contractor recommendations, the Los Alamos National Laboratory (the Laboratory) is proposing to complete the E039 replacement gage by February 28, 2010, weather permitting, and the E060 replacement gage by April 30, 2010. As noted above, in the case that conditions prohibit the completion of E039 before to the Mexican spotted owl survey exclusion period, completion of the gage station will take place in May 2010. NMED will be notified should it become apparent that the installation of E039 will not be finished by February 28, 2010. With the modification to the completion dates, the Laboratory proposes submitting a completion report for the grade-control structures and associated gages to NMED by June 30, 2010.

The Laboratory appreciates your consideration of this request. If you have any questions or wish to visit the sites, please contact Steve Veenis at (505) 667-0013 (veenis@lanl.gov) or Cheryl Rodriguez at (505) 665-5330 (crodriguez2@doeal.gov).

Sincerely,

B. G. Schappell for MJG

Michael J. Graham, Associate Director
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Los Alamos National Laboratory

Sincerely,

Nancy Werdel for

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Los Alamos Site Office

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