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NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Hazardous Waste Bureau*

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ENTERED



RON CURRY  
Secretary

SARAH COTTRELL  
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 4, 2010

George J. Rael  
Environmental Operations Manager  
Los Alamos Site Office, Department of Energy  
3747 West Jemez Road, Mail Stop A316  
Los Alamos, NM 87544

Michael J. Graham  
Associate Director Environmental Programs  
Los Alamos National Security, L.L.C.  
P.O. Box 1663, Mail Stop A991  
Los Alamos, NM 87545

**RE: NOTICE OF DISAPPROVAL  
DOCUMENTATION OF COMPLETION OF CROSS-VANE STRUCTURE  
CORRECTIVE MAINTENANCE ACTIONS IN  
PUEBLO CANYON  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID# NM0890010515  
LANL-HWB-08-047**

Dear Messrs. Rael and Graham:

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) document entitled *Submittal of Documentation of Completion of Cross-Vane Structure Corrective Maintenance Actions in Pueblo Canyon* (Documentation) dated May 17, 2010 and referenced by EP2010-0232. The Documentation is required by NMED's *Direction to Correct Cross Vane Structures in Pueblo Canyon* dated December 3, 2009 (Direction).

The Documentation does not meet all of the requirements specified in NMED's Direction, which required the Permittees to submit documentation that "must include as-built drawings that depict the dimensions and elevations of the structures, adjacent streambed and stream banks..." after completion of the modifications to the Cross Vane Structures. As-built diagrams were not included in the submittal.

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Messrs. Rael and Graham

Page 2 of 2

June 4, 2010

The Permittees must submit the as-built drawings required in NMED's December 3, 2009 Direction no later than **July 19, 2010**.

The Permittees must inspect the three Cross Vane Structures in Pueblo Canyon to assess the effectiveness of the structures to enhance sediment deposition and prevent the creation of scour channels that reduce their intended function as specified in NMED's *Approval of Design for Installation of Cross Vane Structures Pueblo Canyon Stream Channel*, dated August 11, 2009. The inspections must be conducted monthly from April to October and after each rain event within the canyon drainage when total precipitation within 24 hours is equal to or exceeds 0.5-inch. The results of the inspections and any recommendations to modify or replace the cross vane structures must be included in the annual monitoring report documenting geomorphic changes in Los Alamos and Pueblo Canyons due **May 30 of each year beginning in 2011**.

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  
M. Dale, NMED HWB  
K. Roberts, NMED HWB  
T. Skibitski, NMED DOE OB  
S. Yanicak, NMED DOE OB, MS J993  
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R. Gallegos, City of Santa Fe

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