



**BILL RICHARDSON**  
GOVERNOR

*12000*  
**State of New Mexico**  
**ENVIRONMENT DEPARTMENT**

**Hazardous Waste Bureau**  
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**RON CURRY**  
SECRETARY

**DERRITH WATCHMAN-MOORE**  
DEPUTY SECRETARY

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

July 7, 2005

David Gregory, Federal Project Director  
Los Alamos Site Office  
Department of Energy  
528 35<sup>th</sup> Street, Mail Stop A316  
Los Alamos, NM 87544

G. Pete Nanos, Director  
Los Alamos National Laboratory  
P.O. Box 1663, Mail Stop A100  
Los Alamos, NM 87545

**RE: LAND TRANSFER NOTIFICATION FOR TRACT A-8 (DP ROAD SOUTH)**  
**LOS ALAMOS NATIONAL LABORATORY, EPA ID #NM0890010515**

Dear Messrs. Gregory and Nanos:

The New Mexico Environment Department (NMED) is in receipt of the Department of Energy's (DOE) written notice to transfer Tract A-8 (DP Road South) to the Los Alamos School Board within the next 120 days. The tract contains solid waste management units (SWMU) 0-030(b), 0-030(m), area of concern 0-010(a) and part of SWMU 21-021. The corrective measures performed at these sites were reported in the *Completion Report for the VCA at SWMUs 0-030(a), 0-030(b)-00, and 0-033(a) and AOCs 0-029(a,b,c) and 0-010(a,b) and for the IA at SWMU 21-021-99 at Los Alamos National Laboratory*, submitted September 30, 2003. NMED issued a notice of disapproval directing the Department of Energy and the University of California (collectively, the Permittees) to perform further corrective action at SWMUs 0-030(b) 0-030(m), and part of SWMU 21-021.

The results of the additional work have not been reported to NMED for evaluation. According to section III.Y of the Consent Order, NMED and DOE must review the completed corrective measures and any remedies taken with regard to the property at a meeting within 30 days of the written notice to transfer. NMED did not receive the investigation report by DOE's anticipated



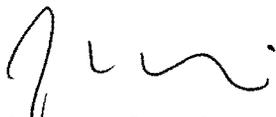
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due date of June 30, 2005 and is uncertain when it will be submitted. Therefore, NMED requests that DOE rescind the written notice to transfer until such document is submitted.

Should you have any questions, please feel free to contact me at (505) 428-2512.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:dxg

cc: D. Goering, NMED HWB  
D. Pepe, NMED DOE OB  
S. Yanicak, NMED DOE OB, MS J993  
L. King, EPA 6PD-N  
T. Taylor, DOE LASO, MS A316  
K. Hargis, LANL RRES/DO, MS M591  
N. Quintana, LANL RRES-RS, MS M992  
D. McInroy, LANL RRES-RS, MS M992  
file: Reading and LANL 05' [SWMUs 0-030(b), 0-030(m), and 21-021]