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GOVERNOR

TA-00
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ENVIRONMENT DEPARTMENT

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RON CURRY
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DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 05, 2006

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, Mail Stop M992
Los Alamos, NM 87545

**RE: APPROVAL WITH MODIFICATIONS FOR THE INVESTIGATION WORK
PLAN FOR GUAJE/BARRANCAS/RENDIJA CANYONS AGGREGATE AREA,
AT TECHNICAL AREA (TA) 00,
LOS ALAMOS NATIONAL LABORATORY (LANL),
EPA ID #NM0890010515
HWB-LANL-05-018**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has received and reviewed the United States Department of Energy and the Regents of the University of California's (collectively, the Permittees) *Investigation Work Plan for Guaje/Barrancas/Rendija Canyons Aggregate Area, at Technical Area 00* (Work Plan), dated July 2005 and referenced by LA-UR-05-3869/ER2005-0303. Based on the information presented in the Work Plan, NMED hereby approves the Work Plan with the modifications described in this letter. The Permittees shall submit an investigation report for Guaje/Bararancas/Rendija Canyons (Report) to the NMED by August 31, 2007. The Permittees must document in the Report all activities conducted pursuant to this approval, including the modifications outlined in this letter. Noncompliance with the modifications outlined in the approval letter will result in automatic rescision of the Work Plan approval and potentially subject the Permittees to an enforcement action. As a reminder, the Permittees shall not respond to the comments provided in an Approval with Modifications unless NMED



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specifically requires a response and/or resubmittal (i.e. revised text and/or pages, additional information) in the approval letter.

General Comments:

1) The Permittees' management plan for investigation derived waste (IDW) is not satisfactory. The Permittees did not specify the criteria used to determine the appropriate management practice for various types of IDW. The Permittees must abide by the requirements outlined by NMED with respect to management of all types of IDW. Drill cuttings and personal protective equipment (PPE) must be containerized in drums, roll-off boxes or some other method approved by the NMED. Decontamination water, sampling equipment, PPE, and the like must also be containerized for waste characterization and/or disposal. All IDW will be sampled and tested for contaminants that are suspected or detected prior to or during investigation activities. All suspected radioactively contaminated waste/material should be sampled or surveyed for radioactivity and disposal. While the Permittees are not required to analyze for radionuclide contamination, however, they have agreed to voluntarily test for and report radionuclides at sites suspected to contain radionuclide contamination. Each container of waste generated will be individually labeled as to waste classification, item identification number, and radioactivity (if applicable), immediately following containerization. The means to store, control, and transport each potential waste type and classification will be determined and approved by the NMED prior to the start of field investigations. At the end of daily field activities, an inspection will be conducted to confirm that all waste containers are properly closed, stored on level ground, and voluntarily screened for radiological contamination. This inspection will be documented and a copy of the documentation will be forwarded to the NMED.

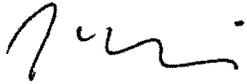
The Permittees must provide a brief description of munitions and explosives of concern (MEC) disposal operations (besides referring to the U.S. Army Corps of Engineers guidance) as required by Section IX.A of the Consent Order. The Permittees must also submit a revised Appendix C, which includes the information described above. All the information must be submitted within 30 days of receipt of this letter.

2) All field instruments shall be calibrated in accordance with Section IX.B.4 of the Consent Order. If instrument malfunction occurs, instrument use shall be discontinued until the necessary repairs are made or a properly calibrated replacement instrument shall be used. If ongoing field screening problems are encountered, the Permittees shall contact NMED to discuss alternate field screening methods. Turn-around-times for laboratory analyses of confirmation samples shall be sufficiently short to allow for continued field investigation, if necessary.

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Please contact Swarna Latha Vonteddu at (505) 428-2551 should you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB: sv

cc: D. Goering, NMED HWB
J. Young, NMED HWB
J. Volkerding, NMED DOE OB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
J. Ordaz, DOE LASO, MS A316
K. Hargis, LANL RRES/DO, MS M591
N. Quintana, LANL E/ER, MS M992
file: Reading and ~~LANL~~ TA-00 2005 (Investigation Work Plan for
Guaje/Barranca/Rendija Canyons Aggregate area)