



BILL RICHARDSON  
Governor

DIANE DENISH  
Lieutenant Governor

EMERED

TACQ

NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Hazardous Waste Bureau*

2905 Rodeo Park Drive East, Building 1

Santa Fe, New Mexico 87505-6303

Phone (505) 476-6000 Fax (505) 476-6030

[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)



RON CURRY  
Secretary

JON GOLDSTEIN  
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 23, 2008

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

David McInroy  
Remediation Services Deputy Project Director  
Los Alamos National Laboratory  
P.O. Box 1663, MS M992  
Los Alamos, NM 87545

**RE: NOTICE OF APPROVAL  
INVESTIGATION REPORT FOR MIDDLE LOS ALAMOS CANYON  
AGGREGATE AREA  
LOS ALAMOS NATIONAL LABORATORY (LANL),  
EPA ID #NM0890010515  
HWB-LANL-08-002**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Investigation Report for Middle Los Alamos Canyon Aggregate Area, Revision 1* (Report), dated May 2008 and referenced by LA-UR-08-2725/EP2008-0208 and the *Response to the "Notice of Disapproval for the Investigation Report for Middle Los Alamos Canyon Aggregate Area"* (Response) dated May 2008 and referenced by LA-UR-08-2723/EP2008-0207. NMED has reviewed these documents and hereby issues this Notice of Approval for the Report and the Response with the following comment.

30071



*(Comment number corresponds to the original NOD dated April 4, 2008)*

**5. NMED Comment:** NMED concurs with the Permittees that final site recommendations for Area of Concern (AOC) 02-003(e) cannot be determined until the extent of contamination is defined. Therefore, remedial activities shall be proposed in the Phase II Investigation Report.

The Permittees must submit the Phase II Investigation Work Plan for Middle Los Alamos Canyon Aggregate Area no later than November 14, 2008. All submittals (including maps) must be in the form of two paper copies and one electronic copy in accordance with Section XI.A of the Order.

Please contact Kathryn Roberts at (505) 476-6041, should you have any questions.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB  
K. Roberts, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
T. Skibitski, NMED DOE OB  
L. King, EPA 6PD-N  
G. Rael, DOE LASO, MS A316  
S. Stiger, ENV MS J591  
File: Reading and LANL '08, TA-2 [02-003(a-e), 02-004(a-g), 02-005, 02-006(a-e), 02-007-00 (02-007, 02-009(a-c), 02-009(e)), 02-008(a), 02-008(c), 02-009(d), 02-010, 02-011(a-e), 02-012, 21-004(b)-99 (21-004(b), 21-004(c), 21-004(d)), 21-006(e)-99 (21-006(e), 21-006(f)), 21-011(b), 21-022(b)-99 (21-022(b-e), 21-022(g)), 21-028(c), 26-001, 26-002(a-b), 26-003]