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State of New Mexico

ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1

Santa Fe, New Mexico 87505-6303

Telephone (505) 428-2500

Fax (505) 428-2567

www.nmenv.state.nm.us



BILL RICHARDSON
GOVERNOR



RON CURRY
SECRETARY

CINDY PADILLA
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

May 14, 2007

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 Program Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop M992
Los Alamos, NM 87545

**RE: APPROVAL
INVESTIGATION REPORT FOR SOLID WASTE MANAGEMENT UNITS
(SWMU) 3-010(a) AND 3-001(e)
LOS ALAMOS NATIONAL LABORATORY, EPA ID #NM0890010515
HWB-LANL-06-002**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the Revised *Investigation Report for Solid Waste Management Units 3-010(a) and 3-001(e) at Technical Area 3*, dated April 20, 2006 (Report). NMED has reviewed the Report and is hereby issuing this approval.

The Department of Energy (DOE) submitted the original Report to NMED on August 31, 2005. NMED found the Report delinquent and issued a notice of disapproval (NOD) on February 20, 2006. As part of the NOD, the DOE was directed to perform specific interim activities and submit a revised report incorporating the responses to the NOD. DOE submitted its response to the NOD on March 23, 2006. NMED found the response inadequate and issued a second NOD on April 3, 2006. In the second NOD, the DOE was again directed to perform the specific



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Messrs. Gregory and McInroy

May 16, 2007

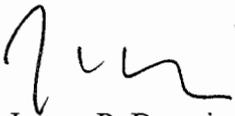
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interim activities. The Revised Report contains the information NMED requested; however, it does not include the results of the interim activities. Consequently, NMED issued a third NOD containing direction to implement specific activities.

NMED has not received the results of the interim activities; however, NMED has determined that the remainder of the response to the third NOD was adequate and the Permittees have fulfilled the requirements of the work plan. NMED is requiring the DOE and the Los Alamos National Security, LLC (collectively, the Permittees) to submit the results of the interim activities by July 16, 2007. Based on previous correspondence from the Permittees, one of the monitoring wells used in the quarterly monitoring has been damaged. The Permittees must include a discussion of their intentions regarding this well in the report on the results of the interim activities.

If you have any questions regarding this letter, please contact Darlene Goering of my staff at (505) 476-6042.

Sincerely,



James P. Bearzi

Chief

Hazardous Waste Bureau

JPB:dxg

cc: D. Goering, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
G. Rael, DOE LASO, MS A316
file: Reading and LANL TA-3 '07