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*Date:* **APR 28 2011**  
*Refer To:* EP2011-0174

James Bearzi, Bureau Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303

**Subject: Update on April 25, 2011, Oral Notification of Delays at Well R-61 and Written Notice of Force Majeure**

Dear Mr. Bearzi:

This letter is submitted pursuant to the requirement in Section III.H.3, *Procedure for Claiming Force Majeure*, of the March 2005 Compliance Order on Consent (Consent Order) to provide written notice within 7 business days of the U.S. Department of Energy's and Los Alamos National Security's (DOE's/LANS's) verbal notification of a force majeure event. Mark Everett of LANS contacted Michael Dale of the New Mexico Environment Department (NMED) by phone on Monday, April 25 2011, to provide oral notification of a delay in the completion of well R-61 caused by high winds during the project, resulting in subcontractor shutdowns. As required by Section III.H.3 of the Consent Order, this verbal notification was made within 72 hr of when DOE/LANS first knew the weather conditions may cause a delay in the completion of well R-61. The following is a description of the events and actions taken to minimize any possible delays.

**The Cause of the Delay**

Since the project began in March 2011, the subcontractor has had to suspend operations for all or part of 6 days because of very high winds on the mesa top where well R-61 is located. These winds have created unsafe conditions for field personnel constructing the well. Per LANS policy and our subcontractor's approved work plans, the subcontractor must suspend operations when sustained winds are greater than 35 miles per hour. In addition to the actual shutdown time, the subcontractor has lost efficiencies while operating in high winds below the shutdown threshold, preparing to shut down in a safe configuration, and restarting operations once restrictions were lifted.

**The Expected Duration of the Delay**

LANS now expects the well to be completed 6 days late, on May 9, 2011. In the event of additional high winds causing lost days, LANS will again notify NMED. The days lost from high winds will be documented in the well completion report.

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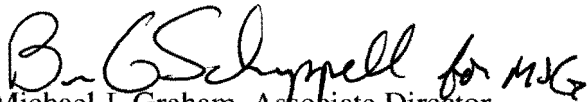


**The Actions Taken To Minimize the Delay**

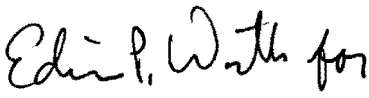
The subcontractor will continue to work 12-hr shifts until the well construction is NMED complete.

If you have any questions, please contact Ted Ball at (505) 665-3996 (tedball@lanl.gov) or Woody Woodworth at (505) 665-5820 (lwoodworth@doeal.gov).

Sincerely,

  
Michael J. Graham, Associate Director  
Environmental Programs  
Los Alamos National Laboratory

Sincerely,

  
George J. Rael, Manager  
Environmental Projects Office  
Los Alamos Site Office

MG/GR/CD/TB:sm

Cy: Laurie King, EPA Region 6, Dallas, TX  
Steve Yanicak, NMED-DOE-OB, MS M894  
Tom Skibitski, NMED-OB, Santa Fe, NM (date-stamped letter emailed)  
Woody Woodworth, DOE-LASO, MS A316 (date-stamped letter emailed)  
Annette Russell, DOE-LASO (date-stamped letter emailed)  
Ted Ball, EP-CAP, MS M996 (date-stamped letter emailed)  
Craig Douglass, EP-CAP, MS M992 (date-stamped letter emailed)  
Michael J. Graham, ADEP, MS M991 (date-stamped letter emailed)  
William Alexander, EP-BPS, MS M992 (date-stamped letter emailed)  
RPF, MS M707 (electronic)