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BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

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



ENTERED



RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 24, 2009

David Gregory
Federal Project Director
Los Alamos Site Office
Department of Energy
3747 West Jemez Rd, 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
CAÑADA del BUEY INVESTIGATION REPORT, REVISION 1
LOS ALAMOS NATIONAL LABORATORY
EPA ID #NM0890010515
HWB-LANL-09-040**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Cañada del Buey Investigation Report, Revision 1* (Report, Rev. 1) on November 20, 2009. The document is referenced by LA-UR-09-7317 and EP2009-0608.

NMED has completed review of the Report, Rev. 1 and the Permittees' response to the October 30, 2008 Notice of Disapproval (NOD). NMED hereby approves the Report Rev. 1. However, NMED does not agree that groundwater in the intermediate and regional aquifers has been adequately characterized. Further investigation of intermediate and regional groundwater in the Cañada del Buey watershed is necessary before the investigation of the watershed can be considered to be complete. Direction for

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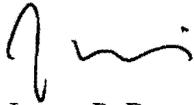
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additional groundwater investigation has been addressed in separate correspondence pertinent to Technical Area 54 dated November 2, 2009.

In response to NOD Comment # 1, the Permittees evaluated the resource-user scenario for a human health risk assessment and included the results of evaluation in Appendix E. The Permittees did not address the risks to the resource-user in the uncertainty section or the overall conclusions and recommendations of the Report, Rev. 1. In the future, a discussion of all receptors, whether current or future, must be addressed in the uncertainty section as well as in the conclusions/recommendations section of the report.

Please contact Daniel Comeau at (505) 476-6043, if you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Bearzi, NMED HWB
J. Kieling, NMED HWB
D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
K. Roberts, NMED HWB
M. Dale, NMED HWB
D. Comeau, NMED HWB
S. Yanicak, NMED DOE OB, MS M894
T. Skibitski, NMED DOE OB
L. King, EPA 6PD-N
G. Rael, DOE LASO, MS A316
M. Graham, ADEP, MS M991

File: LANL Cañada del Buey IR, Rev.1, 2009