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RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

November 20, 2008

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 Security, L.L.C.
P.O. Box 1663, MS M992
Los Alamos, NM 87545

**RE: APPROVAL WITH MODIFICATIONS FOR INVESTIGATION WORK PLAN
FOR THREEMILE CANYON AGGREGATE AREA, REVISION 1,
EPA ID #NM0890010515
HWB-LANL-08-016**

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) *Threemile Canyon Aggregate Area Investigation Work Plan, Revision 1* (Work Plan), dated October 2008 and referenced by LA-UR-08-6727/EP2008-05492. NMED has reviewed the Report and hereby issues this approval with the following modifications.

Specific Comments

1. Section 10.0, Schedule, page 49

Permittees' Statement: "The scheduled notice date for NMED to approve this investigation work plan is November 28, 2008. Preparation for investigation activities is scheduled to start in March 2009. Fieldwork is expected to start in early July 2009 and will take approximately 7 mo to complete. Fieldwork is scheduled to be completed by February 2010. Therefore, a submittal date of no later than August 31, 2010, is proposed for the investigation report."

NMED Comment: In the Work Plan submitted to NMED in July 2008, the Permittees' schedule indicated that fieldwork would begin in April 2009 and end in November 2009.



Messrs. Gregory and McInroy

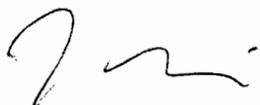
November 20, 2008

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NMED based the May 31, 2010 submittal date in the *Notice of Disapproval for the Investigation Work Plan for Threemile Canyon Aggregate Area*, September 2008 upon this schedule. Since the basis for the change of the sampling start/end dates was not explained the Permittees must submit the IR no later than June 30, 2010.

Please contact Kristen Van Horn at (505) 476-6046 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

M. Graham, ENV MS J591

file: Reading and LANL'08, TA-12 (SWMU 12-001(a), SWMU 12-001(b), SWMU 12-002, AOC 12-005, AOC 12-004(a), AOC 12-004(b), AOC C-12-001, AOC C-12-002, AOC C-12-003, AOC C-12-004); TA-14 (AOC C-14-006); TA-15 (SWMU 15-004(a), AOC 15-004(d), AOC 15-005(c), SWMU 15-006(b), Consolidated Unit 15-006(c)-99, Consolidated Unit 15-006(d)-99, Consolidated Unit 15-007(c)-99, SWMU 15-009(b), SWMU 15-009(c), SWMU 15-009(h), SWMU 15-010(b), AOC 15-014(h), SWMU 15-014(m)); TA-18 (SWMU 18-007); TA-36 (SWMU 36-002, SWMU 36-003(a), AOC 36-008, SWMU C-36-003)