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NEW MEXICO  
ENVIRONMENT DEPARTMENT  
*Hazardous Waste Bureau* ENTERED



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DAVE MARTIN  
Cabinet Secretary

BUTCH TONGATE  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

December 14, 2011

George J. Rael, Assistant Manager  
Environmental Projects Office  
Department of Energy/National  
Nuclear Security Administration  
Los Alamos Site Office  
3747 West Jemez Road, MS A316  
Los Alamos, NM 87544

Michael J. Graham, Associate Director  
Environmental Programs  
Los Alamos National Security, LLC  
P.O. Box 1663, MS M991  
Los Alamos, NM 87545

**RE: NOTICE OF APPROVAL  
INVESTIGATION REPORT  
POTRILLO AND FENCE CANYONS AGGREGATE AREA  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID #NM0890010515  
HWB-LANL-11-043**

Dear Messrs. Rael and Graham:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security, LLC (LANS) (collectively, the Permittees) *Investigation Report for Potrillo and Fence Canyons Aggregate Area, Revision 1* (Report), dated November 2011 (referenced by LA-UR-11-6217/EP2011-0353) and the response to NMED's Notice of Disapproval for the Report. NMED hereby issues this notice of approval with the following comment.

The response to specific comment # 27 indicates that it is not possible for the Permittees' to collect some of the proposed samples within the boundary of archaeological sites at solid waste management unit (SWMU) 36-005 because of the presence of cultural resources identified at the site. NMED concurs that the presence of the archaeological sites limits future use and controls

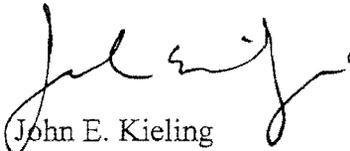
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exposure to residual contamination present at the site and no further sampling is required at these locations at this time. The screening level data obtained previously during Phase I and Phase II RCRA Facility Investigations indicated that inorganic, organic chemicals and radionuclides were present in samples collected from locations that lie within the boundary of archaeological sites. Since the investigations could not be completed, NMED will not be able to make corrective action complete determination for SWMU 36-005 at this time.

As proposed by the Permittees in the Report, a Phase II investigation work plan must be submitted no later than **June 14, 2012**. Please contact Neelam Dhawan of my staff at (505) 476-6042 should you have any questions.

Sincerely,



John E. Kieling  
Acting Chief  
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB  
N. Dhawan, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
T. Skibitski, NMED DOE OB  
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File: LANL, Potrillo and Fence Canyons IR, 2011, LANL 11-043