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TA16

NEW MEXICO
ENVIRONMENT DEPARTMENT

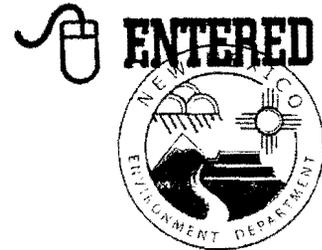
Hazardous Waste Bureau

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Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 16, 2009

David Gregory
Federal Project Director
Los Alamos Site Office, Department of Energy
3747 West Jemez Road, Mail Stop A316
Los Alamos, NM 87544

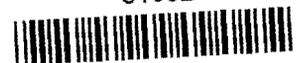
David McInroy
Remediation Services Deputy Project Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A992
Los Alamos, NM 87545

**RE: APPROVAL FOR "CONTAINED-IN" DETERMINATION FOR SPRING AND ALLUVIAL GROUNDWATER FOR IMPLEMENTED CORRECTIVE MEASURES CONSOLIDATED UNIT 16-021(C)-99
EPA ID #NM0890010515
HWB-LANL-07-011**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has reviewed the United States Department of Energy and Los Alamos National Security, LLC (collectively, the Permittees) document entitled *Request for "Contained-In" Determination for Spring and Alluvial Waters to Expedite the Corrective Measures Implementation Plan for Consolidated Unit 16-021(c)-99* (dated May 14, 2009 and referenced by ENV-RCRA-09-077).

In the request, the Permittees provide a comparison of the maximum detected concentrations of potential F-listed organic compounds with the New Mexico Water Quality Control Commission (WQCC) groundwater standards, the Environmental Protection Agency (EPA) Safe Drinking Water Act Maximum Contaminant Levels (MCLs) and Land Disposal Restrictions Treatment Standards (LDRs). The analytical results for the spring and alluvial groundwater indicate that concentrations of the organic compounds are less than the corresponding MCLs, LDRs and WQCC standards.



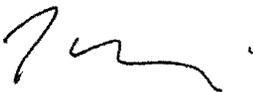
Messrs. Gregory and McInroy
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Based on the analytical results provided by the Permittees, the groundwater does not need to be managed as hazardous waste. Additionally, NMED has determined that the groundwater from the springs and alluvial aquifer will no longer be considered to be hazardous waste provided the permeable reactive barrier and carbon filters are effective at reducing contaminant concentrations in groundwater.

As prescribed in NMED's June 24, 2009 document entitled "*Requirement to Submit Summary Report for Implemented Corrective Measures Consolidated Unit 16-021(c)-99 During 2009*" the Permittees shall submit, by April 30, 2010, a monitoring and maintenance plan for these remediation systems so that the ongoing effectiveness of the remedial systems can be confirmed.

NMED hereby grants the Permittees' request that the spring and alluvial waters be managed as non-hazardous waste. Should you have any questions or comments, please contact Michael Dale at (505) 661-2673 or 472-6052.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:md

cc: D. Cobrain, NMED HWB
K. Roberts, NMED HWB
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S. Yanicak, NMED DOE OB, MS J993
B. Olson, NMED GWQB
L. King, EPA 6PD-N
G. Rael, DOE LASO, MS A316
L. Woodworth, DOE LASO, MS A316
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file: Reading and LANL CME Consolidated Unit 16-021(c)-99 Contained-In Approval Spring and Alluvial Water