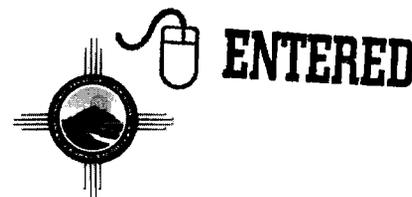




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Date: **FEB 26 2010**
 Refer To: EP2010-0102

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

Subject: Direction to Investigate Magazine Area A (Technical Area 28) and Magazine Area B (Technical Area 29), Los Alamos National Laboratory, EPA ID #NM0890010515

Dear Mr. Bearzi:

Los Alamos National Security, LLC (LANS) and the U.S. Department of Energy (DOE) (collectively, the Permittees) are in receipt of the New Mexico Environment Department's (NMED's) letter, dated February 8, 2010, directing the Permittees to designate Magazine Areas A and B as new areas of concern (AOCs) and to investigate these sites. The purpose of this letter is to clarify the Permittees future actions regarding Magazine Areas A and B.

Magazine Area A is located within Technical Area 28 (TA-28), within the boundary of TA-16, and Magazine Area B is located within former TA-29, also within the boundary of TA-16. The existence of Magazine Areas A and B was known to the Permittees at the time that the 1990 Solid Waste Management Units (SWMU) report was submitted to the U.S. Environmental Protection Agency (EPA). The 1990 SWMU report acknowledges the presence of these magazines at TA-28 and former TA-29 and concludes no SWMUs are present at these TAs. In addition, Magazine Areas A and B were not identified as potential release sites (sites later designated as AOCs) in Appendix C of the 1990 SWMU report. The information from the Centers for Disease Control and Prevention report related to Magazine Areas A and B cited in NMED's letter is consistent with the information provided in the 1990 SWMU report and does not constitute new information related to these sites. No new information related to these sites that would change the conclusions of the SWMU report has been identified since the report was prepared. Therefore, Magazines A and B are not newly identified AOCs subject to the notification requirements of Section V.C of the Compliance Order on Consent. For this reason, no AOC number designations are being assigned to Magazine Areas A and B.

Because Magazine Areas A and B will not be investigated by the U.S. Army Corps of Engineers, the Permittees will include these sites in the Upper Water Canyon Aggregate Area investigation work plan. Based on information collected during preparation of the work plan and implementation of the subsequent investigation, the Permittees will determine whether these sites should be designated as newly identified SWMUs or AOCs.



If you have any questions, please contact John McCann at (505) 665-1091 (jmccann@lanl.gov) or Suzanne Schulman at (505) 606-1962 (sschulman@doeal.gov).

Sincerely,



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

Sincerely,



David R. Gregory, Project Director
Environmental Operations
Los Alamos Site Office

MG/DG/DM/JM:sm

Cy: Laurie King, EPA Region 6, Dallas, TX
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Annette Russell, DOE-LASO (date-stamped letter emailed)
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