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NEW MEXICO  
ENVIRONMENT DEPARTMENT  
*Hazardous Waste Bureau*

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DAVE MARTIN  
Cabinet Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

January 13, 2011

George J. Rael, Assistant Manager  
Environmental Projects Office  
Department of Energy/National  
Nuclear Security Administration  
Los Alamos Site Office  
3747 West Jemez Road, Mail Stop 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: EROSION CONTROLS FOR FISHLADDER CANYON  
SWMU 16-003(O)  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID #NM0890010515  
HWB-LANL-10-093**

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) *Erosion Controls Associated with Fishladder Canyon [Solid Waste Management Unit 16-003(o)]*, dated December 06, 2010 and referenced by EP2010-0533.

The Permittees are required to conduct annual inspections of the erosion controls installed in the drainages and slopes of Fishladder Canyon (*see* Approval with Modifications for the Phase II Investigation Report for TA-16-340 Complex, February 9, 2009). Stormwater controls inspections at SWMU 16-003(o) are conducted under National Pollutant Discharge Elimination System Stormwater Individual Permit.

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The Permittees report that six inspections were conducted in 2010 following six separate rain events; maintenance issues were identified after two of the storm events which were resolved promptly. The Permittees did not explain the nature of maintenance issues and the measures taken to resolve them. The Permittees must include a description of observations made during inspections and steps taken to correct them in annual reports. The Permittees must submit the revised report no later than **February 14, 2011**.

The Permittees must continue to conduct annual inspections of the erosion controls. The 2011 inspection report documenting the proof of maintenance of erosion controls must be submitted no later than December 31, 2011, and annually for each subsequent year by the December 31<sup>st</sup> thereafter.

Please contact Neelam Dhawan of my staff at (505) 476-6042 should you have any questions.

Sincerely,



James P. Bearzi

Chief  
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB  
D. Cobrain, NMED HWB  
N. Dhawan, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
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File: LANL, Fishladder Canyon, SWMU 16-003(o), 2011