



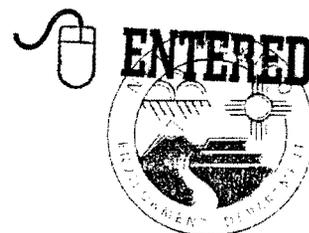
BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

TA 18
NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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ROK CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 18, 2009

David Gregory
Project Director, Environmental Operations
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, MS M992
Los Alamos, NM 87545

RE: APPROVAL WITH MODIFICATION
DRILLING WORK PLAN FOR REGIONAL AQUIFER WELL R-51
LOS ALAMOS NATIONAL LABORATORY
EPA ID #NM0890010515
HWB-LANL-MISC-GW

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy (DOE) and Los Alamos National Security, L.L.C.'s (LANS) (collectively, the Permittees) document entitled *Drilling Work Plan for Regional Aquifer Well R-51* (Plan) dated November 6, 2009 and referenced by EP2009-0565.

NMED has reviewed the Plan and hereby issues this Approval with the following modification.

If perched intermediate water is encountered during drilling of well R-51, the Permittees must notify NMED by phone within one business day of each such occurrence and shall minimize the impact of bentonite and drilling fluids on the perched horizon. If NMED determines that the perched water horizon requires monitoring, the Permittees shall install an intermediate well in that horizon, either in the R-51 borehole or in a separate borehole at a nearby location approved by NMED. If the Permittees choose to install the intermediate well in the R-51 borehole, they shall include the intermediate well in the proposed design for R-51. If the Permittees choose to install the intermediate well in a

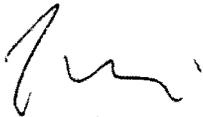


separate borehole, they shall submit to NMED a drilling work plan for the intermediate well no later than 30 days after the completion of R-51.

Well R-51 is part of the groundwater monitoring network at TA-54. Wells at and near TA-54 should have already been installed by the Permittees in order to obtain adequate groundwater data to support remedy selection. As stated in numerous pieces of correspondence dating back to April 7, 2007, the need for adequate, timely, and technically defensible groundwater data for TA-54 and elsewhere has long been known to the Permittees. The Permittees are delinquent in the completion of wells at and near TA-54. Nothing in this letter shall be construed as an abrogation of NMED's rights to pursue enforcement actions against the Permittees for failure to comply with the requirements of the March 1, 2005 Order on Consent (Order). Stipulated penalties for the MDA G CME Report will continue to accrue until NMED determines that the Permittees are in substantial compliance with the Order, which includes, among other requirements, construction of a comprehensive groundwater monitoring network and collection of additional groundwater data at TA-54.

Should you have any questions, please contact Jerzy Kulis of my staff at (505) 476-6039.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

BRZ:jk

cc: J. Kieling, NMED HWB
D. Cobrain, NMED HWB
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File: Reading and LANL Groundwater General