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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

August 8, 2005

David Gregory, Federal Project Director
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

Robert W. Kuckuck, Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, NM 87545

**RE: APPROVAL OF THE VOLUNTARY CORRECTIVE MEASURE COMPLETION
REPORT FOR SOLID WASTE MANAGEMENT UNIT 21-011(K) AT
TECHNICAL AREA 21
LOS ALAMOS NATIONAL LABORATORY (LANL), EPA ID #NM0890010515
HWB-LANL-03-025**

Messrs. Gregory and Kuckuck:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy and the Regents of the University of California's (collectively, the "Permittees") *Response to the Notice of Disapproval for the Voluntary Corrective Measure Completion Report for Solid Waste Management Unit 21-011(k) at Technical Area 21*, dated July 7, 2005 and referenced by LA-UR-05-4991/ER2005-0455. NMED hereby approves the aforementioned report.

NMED notes that without analytical data, the Permittees cannot be certain that "[i]n removing the primary radionuclides...other radionuclides such as tritium, uranium-234, and uranium-235, were also removed" in the 1996 Interim Action (IA). The Permittees do not provide a basis for their assumption that tritium, uranium-234, and uranium-235 are co-located with isotopic plutonium, strontium-90, cesium-137, and americium-241. In any event, co-location cannot be considered a legitimate justification for a lack of sampling and analysis. Nevertheless, NMED



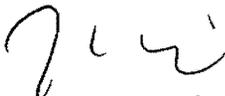
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agrees that the Permittees have achieved the clean-up levels required in the approved Voluntary Corrective Measure (VCM) Work Plan. In the future, the Permittees must complete a full analytical suite on all samples to ensure the absence of any residual contamination at a site.

Should you have any questions, please contact Kathryn Chamberlain at (505) 428-2546.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:kc

cc: D. Goering, NMED HWB
K. Chamberlain, NMED HWB
J. Volkerding, NMED DOE OB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
J. Ordaz, DOE LASO, MS A316
K. Hargis, LANL RRES/DO, MS M591
N. Quintana, LANL E/ER, MS M992
D. McInroy, LANL E/ER, MS M992
file: Reading and LANL TA-21 '05 (SWMU 21-011(k))