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RON CURRY
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DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 29, 2005

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

David McInroy, Deputy Program Director
Environmental Remediation & Surveillance
Los Alamos National Laboratory
Mail Stop M992
Los Alamos, NM 87545

**RE: RESPONSE TO REQUEST FOR CERTIFICATES OF COMPLETION FOR
SOLID WASTE MANAGEMENT UNITS (SWMUS) 21-011(K) AND 46-003(H)
LOS ALAMOS NATIONAL LABORATORY NM0890010515
HWB-LANL-03-025 & HWB-LANL-02-026**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has received and reviewed the United States Department of Energy and Regents of the University of California (the Permittees) *Request for Certificates of Completion for Solid Waste Management Units (SWMUs) 21-011(k) and 46-003(h)* dated November 10, 2005 and referenced by ER2005-0853.

NMED has made a determination of "Corrective Action Complete without Controls" for solid waste management unit (SWMU) 46-003(h). Pursuant to the Section III.W.3.b of the March 1, 2005 Consent Order, the Permittees are required to obtain a Certificate of Completion from NMED. However, approval for no further action for SWMU 46-003(h) was granted on January 14, 2003, prior to the signing of the Consent Order. NMED is providing this letter as equivalent to the Certificate of Completion which satisfies the requirements outlined in the Section III.W.3.b of the Consent Order.

NMED issued an approval for the *Voluntary Corrective Measure Completion Report for Solid Waste Management Unit (SWMU) 21-011(k) at Technical Area 21* on August 8, 2005. The



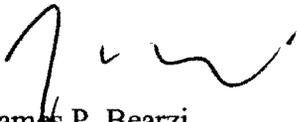
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Permittees achieved the clean-up levels required in the approved Voluntary Corrective Measure (VCM) Work Plan for the site. However, the VCM did not address releases from SWMU 21-011(k) into the Los Alamos Canyon watershed and subsequent contaminant migration. A Certificate of Completion will not be issued for this site until contaminant releases impacting the surface system, vadose zone, and groundwater are fully investigated and an adequate monitoring system can be designed and implemented.

If you have any questions, please contact Neelam Dhawan at (505) 428-2540.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:nmd

cc: D. Cobrain, NMED HWB
J. Kieling, NMED HWB
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File: Reading and LANL/TAs 21 & 46/21-011(k) & 46-003(h)