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LOS ALAMOS COUNTY

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January 26, 2007

Mr. John E. Kieling
New Mexico Environment Department Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building I
Santa Fe, NM 87505-6303

Re: Los Alamos County Comments on MDA B Investigation/ Remediation Work Plan

Dear Mr. Kieling,

Los Alamos County submits the following comments and requests regarding the proposed MDA B Investigation Remediation Work Plan.

1) Characterization of adjoining property A8-B: It is the County's understanding that the adjoining property A8-B, that was withheld from transfer to the Los Alamos County School District to be used as a buffer zone to MDA B, would be tested for lateral contamination prior to the cleanup of MDA B. The proposed work plan indicates that lateral contamination will be evaluated only after removal of waste from MDA B. The County understands that this land will be used as a staging area during the MDA B cleanup, but requests that characterization of A8-B through boring and sampling be performed prior to waste removal at MDA B. The reason for this request is to have A8-B become available for transfer as early as possible. By determining whether lateral contamination has occurred early in the process, the decision about the suitability of the site for transfer can be accelerated.

2) Timing: NMED and DOE must be committed to quick cleanup actions and review of documents and sufficient funding. Too often through this process either the work gets started late or the review of the reports that identify the plans for remediation or steps taken to remediate a site take an inordinate amount of time to review. The County knows that all of the parties are committed to cleanup MDA B. However, the County needs the parties to undertake the actions in accordance with the schedule provided in the Compliance Order on Consent in March 2005. Extensions of time to cleanup the site is not an "accelerated" cleanup as the presentation to the community on this issue would suggest. Further delay in the cleanup does not help the citizens of Los Alamos and the State of New Mexico. Los Alamos County requests that DOE commit sufficient funds to cleanup the contamination on an accelerated schedule.

3) Coordination: As the cleanup evolves, the County requests that DOE, LANS and NMED keep the County informed on the progress of the cleanup activities and milestones; and where acceleration of cleanup or missed deadlines occur and the reasons for the actions occurring. The County is committed to working with the parties to expedite a complete and safe cleanup. The County would like to receive a copy or a summary of the quarterly status reports that DOE/LANL submits to NMED on this cleanup action.



John E. Kieling, Program Manager
Hazardous Waste Bureau – New Mexico Environment Department
January 26, 2007
Page 2 of 2

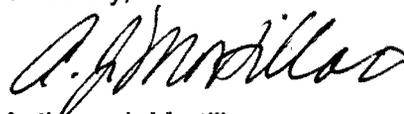
4) Shipping of hazardous and radioactive waste. Currently, multiple shipments are planned per day. DOE, LANL and NMED should coordinate with Los Alamos County to ensure that these shipments occur at times and through routes that accomplish the parties' goals and are not disruptive to the community. Any impact on local roadway infrastructure should be avoided whenever possible and repairs budgeted into project budgets where impacts are likely.

5) Land Use Controls. As cleanup progresses, any land use control discussions that evolve from this risk based cleanup should be coordinated with the County.

6) Support the Cleanup. The County supports the cleanup actions, as it is critical for the continued health safety and welfare of the community.

If you have any questions, please do not hesitate to call Regina Wheeler at (505) 662-8050 or myself at (505) 662-8080.

Sincerely,



Anthony J. Mortillaro
Assistant County Administrator

Cc: Max Baker, County Administrator
Peter Dwyer, County Attorney
Seth Kirshenberg, Kutak Rock LLP
Kyle Zimmerman, Public Works Director
Regina Wheeler, Solid Waste Division Manager
Nancy Talley, Traffic Division Manager