



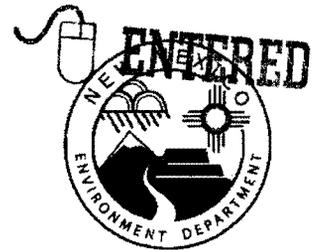
BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

TA21
NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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RON CURRY
Secretary

SARAH COTTRELL
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 2, 2010

Mr. George Rael, Environmental Projects
Office, Federal Project Director
U.S. Department of Energy/National Nuclear
Security Administration
Los Alamos Site Office
3747 West Jemez Road
Los Alamos, NM 87544

Mr. Michael Graham, Associate Director
Environmental Safety, Health and Quality
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS K491
Los Alamos, NM 87545

**RE: APPROVAL
DESIGNATION OF AN AREA OF CONTAMINATION FOR TECHNICAL
AREA 21 CLOSURE PROJECT**

Dear Messrs. Rael and Graham:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy (U.S. DOE) and the Los Alamos National Security L.L.C.'s (collectively, the Permittees) *Request for Approval for Designation of an Area of Contamination for Technical Area 21 Closure Project* referenced by EP2010-0348 and dated July 23, 2010. NMED approves the requested AOC designation, with the following conditions.

- The Permittees may not utilize the Area of Contamination (AOC) concept for returning media to its point of origin. Furthermore, it is not the intent of the AOC concept to obviate the 90-Day storage requirement listed at 20.4.1.300 NMAC incorporating 40 CFR §262.34(a). The AOC may be used only for facilitating the staging and segregation of remediation wastes on-site.
- NMED reminds the Permittees that supplemental sampling will be required for staging areas located outside of the original SWMU boundary but within the AOC boundary to



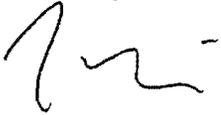
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ensure no residual contamination remains, unless the Permittees can demonstrate that no releases occurred or that areas within the AOC were not utilized.

- The Permittees must document all areas within the AOC that are used for management of waste for the duration of its use.
- NMED reminds the Permittees, that it is within NMED's discretion to require supplemental sampling.

Please contact Kathryn Roberts at (505) 476-6041 should you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB
D. Cobrain, NMED HWB
K. Roberts, NMED HWB
S. Yanicak, NMED DOE OB, MS M894
T. Skibitski, NMED DOE OB
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