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State of New Mexico
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MARK E. WEIDLER
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DEPUTY SECRETARY

**CERTIFIED
RETURN RECEIPT REQUESTED**

December 30, 1995

Mr. Larry Kirkman
DOE/LAAO
528 38th Street
Los Alamos, New Mexico 87545

Dear Mr. Kirkman:

Enclosed is the approved closure plan for the TA-35, TSL-85 Surface Impoundment approved by the New Mexico Environment Department (NMED) pursuant to the New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1, Revised November 1, 1995) Subpart VI, 40 CFR § 265.111 and § 265.112. The effective date of the Closure Plan Approval is December 30, 1995.

The Public Comment Period ended on May 19, 1995. Only the Department of Energy (DOE) and Los Alamos National Laboratory (LANL) submitted comments for consideration. Since the end of the public comment period NMED has revised language in the Closure Plan to clarify ambiguities and DOE/LANL was given ample time to respond. On November 7, 1995 NMED received the revised closure schedule based upon a projected December 30, 1995 signature by the NMED Director of Water and Waste Management Division.

NMED understands that DOE/LANL proceeded at risk, without benefit of approved closure plan, to clean by removal part or all the contamination known at TA-35, TSL-85. Now, with the approved closure plan in place DOE/LANL may proceed with the Closure Certification and Verification as required by 20 NMAC 4.1 Subpart VI, 40 CFR 265.115.

DOE/LANL may request changes to the approved closure plan before final closure is completed. Any such request must be made to NMED in writing and must be approved by NMED before the changes are implemented. There are certain circumstances that may occur in the future which require that DOE/LANL submit a request to amend the approved closure plan. These circumstances are described in 20 NMAC 4.1 Subpart VI, 40 CFR § 265.112(c) and include changes in the operating plans or facility design which affect the closure plan, changes in the expected year of of closure, and unexpected events that occur in the course of the closure activities which affect the closure plan.



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Mr. Larry Kirkman
TA-35, TSL-85 Closure Plan Approval
January 19, 1996

Should you or your staff have any questions concerning this closure plan contact Mr. Robert S. (Stu) Dinwiddie of my staff at the above address or by phone at (505) 827-1561.

Sincerely

Ed Kelley Ph.D.
Division Director
Water and Waste Management Division