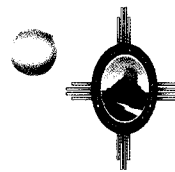


Los Alamos
NATIONAL LABORATORY

EST. 1943

Los Alamos National Laboratory
Environmental Programs
Corrective Actions Program, MS M992
Los Alamos, New Mexico 87545
(505) 667-0819/FAX (505) 665-4747



National Nuclear Security Administration
Los Alamos Site Office, MS A316
Environmental Restoration Program
Los Alamos, New Mexico 87544
(505) 667-7203/FAX (505) 665-4504

Date: February 6, 2007
Refer to: EP2007-0062

Mr. James Bearzi
NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

**SUBJECT: NOTIFICATION OF FORCE MAJEURE FOR THE REVISION TO THE
“INVESTIGATION REPORT FOR THE MIDDLE MORTANDAD/TEN
SITE AGGREGATE”**

Dear Mr. Bearzi:

In accordance with Section III.H of the Consent Order, Los Alamos National Laboratory (LANL) is notifying the New Mexico Environment Department (NMED) that a force majeure event beyond the reasonable control of LANL has occurred that will delay the submittal of the revision to the “Investigation Report for the Middle Mortandad/Ten Site Aggregate (IR).” This is a follow-up to the 72-hour oral notification given from LANL (Becky Coel-Roback) to NMED Hazardous Waste Bureau (Neelam Dhawan) on January 29, 2007.

The cause of the delay is continued snow accumulation at the sites, particularly on the steep north-facing slopes at Technical Area 35 (TA-35), which has resulted in hazardous working conditions. Worker safety issues associated with the steep slopes are compounded by deep snow and icy conditions. Field work was originally scheduled to begin on December 11, 2006. However, continued cold temperatures coupled with accumulation of snow from several recent storm events have caused unrecoverable delays to field work.

Based on conditions observed during the site visit conducted by our office, January 26th, it was apparent that our schedule for the revised IR will not be met. We now anticipate that field activities will start in early April, 2007 and revisions to the subject report will be submitted to your



office on or before July 20, 2007, however, we will begin field work earlier if conditions at the site allow work to be done safely.

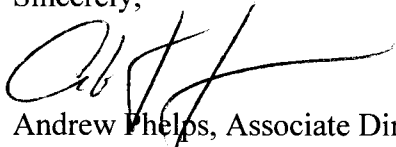
The following actions will be implemented to minimize the delay:

1. Site conditions will be checked regularly, and work will resume as soon as possible once conditions at the site are deemed safe.
2. Work at sites that are not north-facing and/or steep will be completed while we wait for the improvement of site conditions along the slopes at TA-35.
3. All workers will be equipped with necessary safety equipment and cold weather gear.
4. Reporting activities will proceed concurrently with fieldwork, to the extent possible.

Once field work resumes, we will provide NMED with an accurate assessment of actual days lost. Barring additional force majeure delays we will submit the investigation report to NMED on or before July 20, 2007.

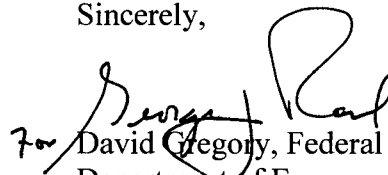
If you have any questions, please contact Becky Coel-Roback at (505) 665-5011 (becky_cr@lanl.gov) or Leonard (Tony) Trujillo at (505) 845-5987 (ltrujillo@doeal.gov).

Sincerely,



Andrew Phelps, Associate Director
Environmental Programs
Los Alamos National Laboratory

Sincerely,



David Gregory, Federal Project Director
Department of Energy
Los Alamos Site Office

AP/DG/BCR/ew

Cy:

B. Coel-Roback, EP-CAP, MS M992
D. Gregory, DOE LASO, MS A316
L. Trujillo, DOE LASO, MS A316
L. Cummings, DOE LASO, MS 316
T. Skibitski, DOE-OB
N. Dhawan, NMED-HWB
L. King, EPA Region 6
A. Phelps, ADEP, MS J591
C. Mangeng, ADEP, MS J591
G. Dover, EP-CAP, MS M992

Mr. James Bearzi
EP2007-0062

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February 6, 2007

D. McInroy, EP-CAP, MS M992
A. Dorries, EP-ERSS, MS M992
P. Reneau, EP-ERSS, MS M992
EP-CAP File, MS M992
RPF, MS M707
IRM-RMMSO, MS A150