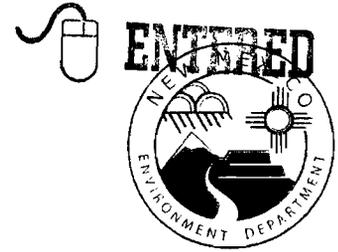


TAB9



NEW MEXICO ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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RON CURRY Secretary

SARAH COTTRELL Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 6, 2010

George J. Rael Environmental Operations Manager Los Alamos Site Office Department of Energy 3747 West Jemez Road, MS A316 Los Alamos, NM 87544

Michael Graham Associate Director Environmental Programs Los Alamos National Security, L.L.C. P.O. Box 1663, MS 991 Los Alamos, NM 87545

RE: APPROVAL REQUEST FOR CERTIFICATES OF COMPLETION FOR TWO SOLID WASTE MANAGEMENT UNITS AND FIVE AREAS OF CONCERN IN THE NORTH ANCHO CANYON AGGREGATE AREA LOS ALAMOS NATIONAL LABORATORY EPA ID #NM0890010515 HWB-LANL-10-022

Dear Messrs. Rael and Graham:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) Request for Certificates of Completion for Two Solid Waste Management Units and Five Areas of Concern in North Ancho Canyon Aggregate Area (Request), dated March 9, 2010 and referenced by EP2010-0117. Results of the associated site investigation were presented in the Investigation Report for North Ancho Canyon Aggregate Area, Revision 1, dated January 2010, and referenced by LA-UR-10-0125 and EP2010-0005.

SWMU 39-001(b) is an inactive disposal area consisting of three trenches that accepted debris from firing site SWMU 39-008, empty chemical containers, and office waste. Pit 1 was constructed in the late 1960s. Pit 2 was constructed parallel and directly next to Pit 1 and was



used from 1976 to 1981. Pit 3 was constructed directly south of the other two pits and was used from 1981 to 1989. In 2009, the Pits were located, excavated, and the contents were removed. Based on review of associated soil sample analytical data, the nature and extent of contamination at the site has been defined. The evaluation of potential human health and ecological risks from the site indicates SWMU 39-001(b) does not pose an unacceptable risk to human health or to ecological receptors.

AOC 39-002(c) is a former outdoor satellite accumulation are (SAA) that was located on asphalt-paved areas next to the southwest corner of the gas-gun support structure (39-56). This SAA stored waste paper, solvent-contaminated rags (ethanol, acetone, and trichloroethene), and vacuum grease. In 2009, the SAA was investigated and characterized. Based on review of associated soil sample analytical data, the nature and extent of contamination at the site has been defined. The evaluation of potential human health and ecological risks from the site indicates AOC 39-002(c) does not pose an unacceptable risk to human health or to ecological receptors.

AOC 39-002(d) is a former SAA that was removed from service, administratively closed, and is no longer used for storage. The site only operated as an SAA and met all regulatory requirements (20.4.1.300 NMAC) for SAAs.

AOC 39-002(e) is a former satellite accumulation area (SAA) that was removed from service, administratively closed, and is no longer used for storage. The site only operated as an SAA and met all regulatory requirements (20.4.1.300 NMAC) for SAAs.

AOC 39-002(f) is a former SAA located on the asphalt driveway outside the northeast corner of a support structure (39-88) for an active firing site (SWMU 39-004(e)). Before this area became a SAA, it was used to store small quantities of waste solvents (ethanol, acetone, and trichloroethene), copper sulfate, transformer oil, vacuum grease, and photographic wastes. Based on review of associated soil sample analytical data from 2009, the nature and extent of contamination at the site has been defined. The evaluation of potential human health and ecological risks from the site indicates AOC 39-002(f) does not pose an unacceptable risk to human health or to ecological receptors.

SWMU 39-005 is a former seepage pit used to dispose of HE-contaminated decant from operations at an explosives operations building (39-04). The seepage pit measured approximately 5-ft x 5-ft x 7-ft and was not lined or otherwise contained. The gravel and HE-contaminated soil that comprised the pit were removed in 1986. Based on review of associated soil sample analytical data from 2009, the nature and extent of contamination at the site has been defined. The evaluation of potential human health and ecological risks from the site indicates SWMU 39-005 does not pose an unacceptable risk to human health or to ecological receptors.

AOC 39-007(d) is a storage area (structure 39-142) consisting of a bermed asphalt pad covered with a metal roof. A valved drainpipe discharged stormwater from the bermed area across the access road toward the Ancho Road drainage. The area was initially used to store metal and at times, drums of silicon transformer oil. Later it was used as a SAA where chemicals, including dielectric fluid, ethylene glycol, solvents, and kerosene were stored. The SAA was removed in

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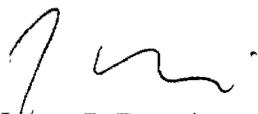
the 1990s, but the storage area continued to be used to store nonhazardous materials such as cable and wire. Based on review of associated soil sample analytical data from 2009, the nature and extent of contamination at the site has been defined. The evaluation of potential human health and ecological risks from the site indicates AOC 39-007(d) does not pose an unacceptable risk to human health or to ecological receptors.

NMED has determined that the requirements of the Consent Order have been satisfied and the aforementioned sites qualify for "Corrective Action Complete Without Controls" status. This letter serves as the certificate of completion for SWMUs 39-001(b) and 39-005, and AOCs 39-002(c), 39-002(d), 39-002(e), 39-002(f), and 39-007(d) pursuant to Section VII.E.6.b of the Consent Order.

If, in the future, any additional information becomes available that indicates that one or more of these sites may pose a risk to human health or the environment, NMED may require the Permittees to conduct additional corrective action at these sites.

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

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
K. Roberts, NMED HWB
N. Dhawan, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
S. Schulman, DOE-LASO, MS A316
L. Nonno, EP-WES-EDA, MS M992
J. McCann, EP-CAP, MS M992
D. McInroy, EP-CAP, MS M992
file: Reading and LANL TA-39 '10 (SWMUs: 39-001(b) and 39-005, AOCs: 39-002(c), 39-002(d), 39-002(e), 39-002(f), and 39-007(d))