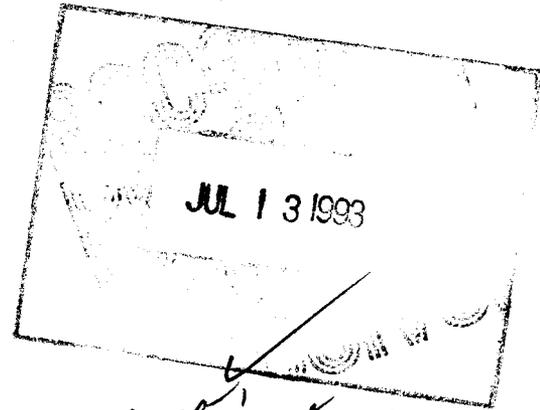




Department of Energy
Field Office, Albuquerque
Los Alamos Area Office
Los Alamos, New Mexico 87544



JUL 08 1993

Mr. Benito Garcia, Chief
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
525 Camino de los Marquez
Santa Fe, NM 87502



*Barbara,
Per previous
referral
file red
man*

Dear Mr. Garcia:

On May 24, 1993, the Department of Energy (DOE) and Los Alamos National Laboratory (LANL) received a Notice of Violation (NOV) from your Bureau. This NOV was in regard to the Resource Conservation and Recovery Act Closure Activities located at the Technical Area 40 Scrap Detonation Site. Prior to receiving the NOV on May 24, 1993, an Amended Closure Plan for this site was delivered to Mr. Marc Sides of your Bureau. This Closure Plan was in need of being amended to address contamination which was unexpectedly found at the site.

Upon learning that NOV was being sent to LANL, Dave McInroy of LANL's Environmental Restoration Group, contacted Mr. Sides by telephone. At that time, Mr. Sides informed Mr. McInroy that the delivery of the Closure Plan on May 19, 1993, satisfied all aspects of the NOV and that the NOV should be ignored when received.

Based on the above referenced conversation and the delivery of the Closure Plan, DOE is considering that the response requested within your NOV has been satisfied. DOE believes that this letter is necessary to document the chronological sequence of events and to close the loop on this issue.

If you need more information on this subject, please feel free to contact Steve Slaten of my staff at 665-5050.

Sincerely,

Joseph C. Vozella, Chief
Environment, Safety and Health
Branch

LESH:3PT-001

cc:
see page 2



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TL

Benito Garcia

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D. Neleigh

EPA

Region 6

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E. Horst, Program Manager

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New Mexico Environment Department

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B. Hoditschek, Permit Program Manager

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A. Tiedman, ADO, LANL,

MS-A120

R. Vocke, EM-13, LANL,

MS-M992

P. Aamodt, EM-13, LANL,

MS-M992

D. McInroy, EM-13, LANL,

MS-M992

K. Hargis, EM-8, LANL,

MS-K490

K. Bitner, ERPO, AL