



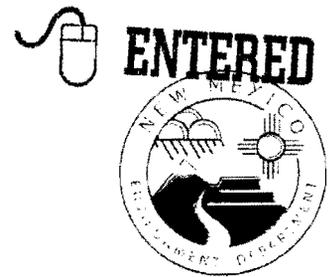
BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

TASO
NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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RON CURRY
Secretary

SARAH COTTRELL
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 11, 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 WITH MODIFICATIONS
PHASE III INVESTIGATION WORK PLAN FOR MATERIAL DISPOSAL
AREA C, SOLID WASTE MANAGEMENT UNIT 50-009, AT
TECHNICAL AREA 50, REVISION 1
LOS ALAMOS NATIONAL LABORATORY (LANL),
EPA ID #NM0890010515
HWB-LANL-10-015**

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 (collectively, the Permittees) *Phase III Investigation Work Plan for Material Disposal Area C, Solid Waste Management Unit 50-009, at Technical Area 50, Revision 1* (Work Plan), dated April 2010 and referenced by LA-UR-10-2468/EP2010-0197 and the *Response to the Notice of Disapproval for the Phase III Investigation Work Plan for Material Disposal Area C, Solid Waste Management Unit 50-009, at Technical Area 50* (Response) dated April 2010 and referenced by LA-UR-10-2470/EP2010-0196. NMED has reviewed the Work Plan and the Response and hereby issues this approval of both documents with the following modifications.

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(Comment #s Correspond to the March 29, 2010 Notice of Disapproval (NOD))

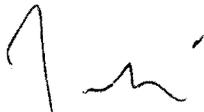
- 3) The Permittees must notify NMED prior to backfilling the boreholes if they cannot be advanced 10 feet into the Tschicoma Formation without drilling fluids.

- 5) The Permittees have proposed to submit the drilling work plans for the two regional groundwater monitoring wells on June 30, 2010 and December 31, 2010, respectively. The Permittees have not provided sufficient justification for the proposed submittal dates for the drilling work plans. The modified drilling work plan format allows for a simple, streamlined work product. The Permittees must expedite their well-drilling program at MDA C to obtain sufficient groundwater data to support proposed remedial alternatives in the Corrective Measures Evaluation (CME) Report.

Therefore, the Permittees must submit the first drilling work plan on **June 1, 2010**. The Permittees must install the first well by **September 30, 2010**. The second drilling work plan must be submitted to NMED no later than **October 1, 2010**. Finally, based on the accelerated well-drilling schedule, the MDA C Phase III Investigation Report must be submitted no later than **June 30, 2011**. All submittals (including maps) must be in the form of two paper copies and one electronic copy in accordance with Section XI.A of the Order.

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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C. Rodriguez, DOE-LASO, MS A316
File: '10 LANL, TA-50 (SWMU 50-009)