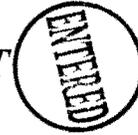




BILL RICHARDSON  
GOVERNOR

TA 50  
State of New Mexico  
**ENVIRONMENT DEPARTMENT**



*Hazardous Waste Bureau*  
2905 Rodeo Park Drive East, Building 1  
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Telephone (505) 428-2500  
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RON CURRY  
SECRETARY

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

September 25, 2006

David Gregory  
Federal Project Director  
Los Alamos Site Office  
Department of Energy  
528 35<sup>th</sup> Street, Mail Stop A316  
Los Alamos, NM 87544

David McInroy  
Remediation Services Deputy Project Director  
Los Alamos National Laboratory  
P.O. Box 1663, Mail Stop MS M992  
Los Alamos, NM 87545

**RE: MODIFICATION TO SCOPE OF THE INVESTIGATION WORK PLAN FOR  
MATERIAL DISPOSAL AREA C, SOLID WASTE MANAGEMENT UNIT 50-009  
LOS ALAMOS NATIONAL LABORATORY,  
EPA ID #NM0890010515  
HWB-LANL-03-005**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has reviewed the United States Department of Energy and the Los Alamos National Security, LLC's (collectively, the Permittees) *Modification to Scope of the Investigation Work Plan for Material Disposal Area C, Solid Waste Management Unit 50-009* letter referenced by ER2006-0726 and dated August 18, 2006.

NMED hereby approves the locations and depths for the three additional boreholes proposed to further evaluate the correlation between tuff and pore-gas VOC concentrations. The Permittees must include the results of this additional sampling in the MDA C Investigation Report.

In an e-mail dated July 31, 2006, the Permittees were asked to explain in greater detail why it was potentially hazardous and a significant risk to worker safety to drill boreholes between Pits 1 through 4 at MDA C. Specifically, the Permittees were asked to provide detailed information on the types of waste and contaminants were believed to be in Pits 1-4 and in what quantities and



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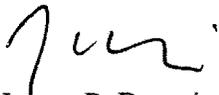
Messrs. Gregory and McInroy  
September 25, 2006  
Page 2

estimated concentrations/activities they may be present. The information provided by the Permittees does not adequately describe the types and quantities of waste in Pits 1-4. The attachment addresses only the hazard category of the site and the presence of radionuclides. The Permittees did not provide any information regarding the presence of hazardous constituents such as solvents, high explosives, and metals, or any specifics concerning the potential hazards (e.g., risk of exposure to site workers and the public, and risk of contamination of equipment such as drill rigs and non-disposable sampling equipment) of drilling at the locations between Pits 1-4.

NMED disagrees that there are no clearly defined tuff boundaries between Pits 1-4. An evaluation of the geophysical report suggests that a subset of the 11 originally proposed boreholes can be drilled. A map with these locations is attached. The Permittees must drill the proposed boreholes on the attached map unless additional information regarding all types and quantities of waste can be provided, including location-specific information, to adequately explain the potential risk to worker safety and the public.

Should you have any questions, please contact David Cobrain at (505) 428-2553.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:kc

cc: H. Shen, NMED HWB  
J. Young, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
L. King, EPA 6PD-N  
A. Phelps, ADEP, MS J591  
G. Rael, DOE LASO, MS A316  
N. Quintana, LANL RRES-RS, MS M992  
file: Reading and LANL TA-50, '06 (SWMU 50-009)

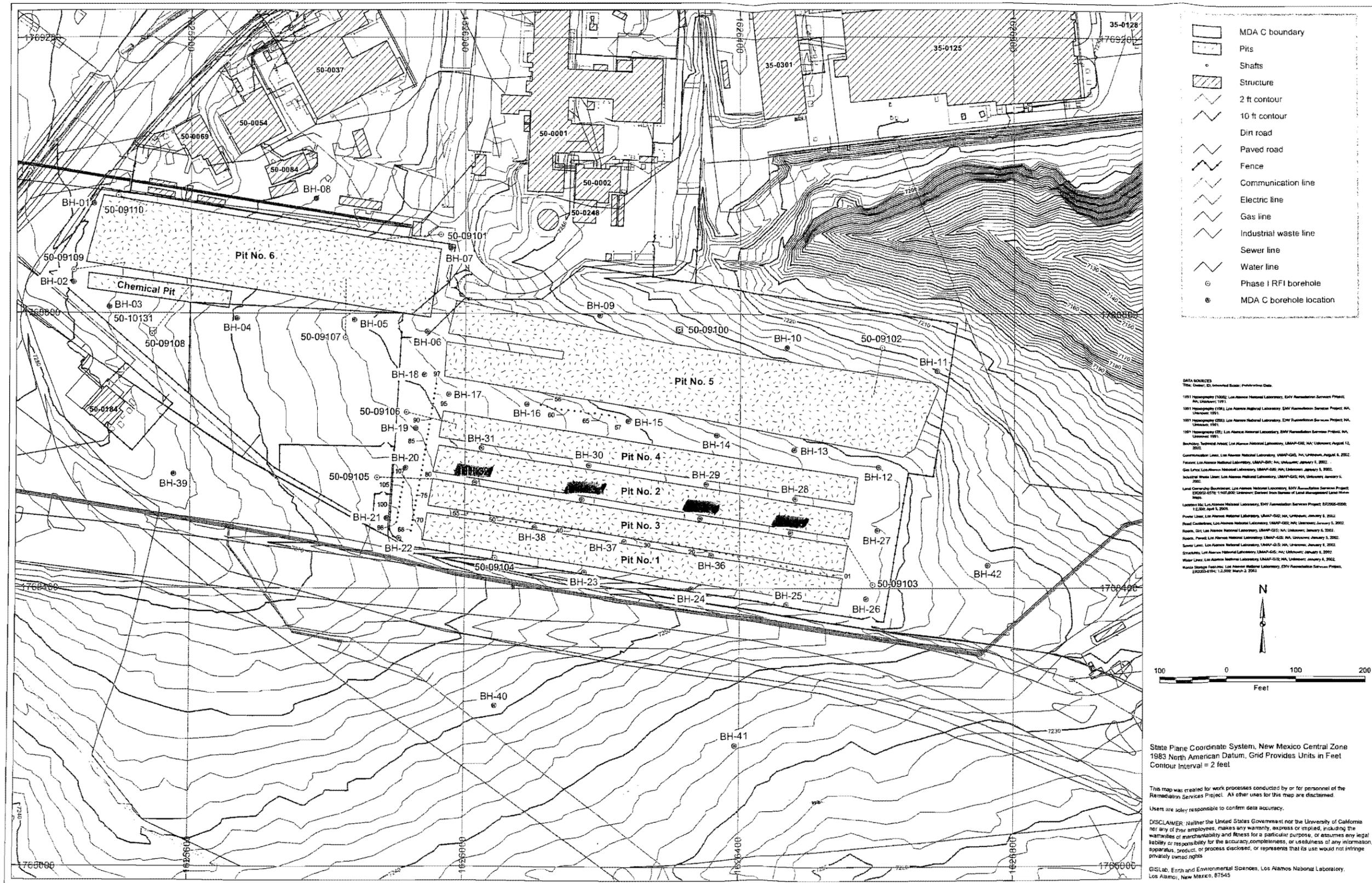


Figure 4.1-1. Location of proposed boreholes at MDA C

Source: GISLab Map No. m201457, DW, 4/22/05, MDA C IWP Rev.2, 090505, kr