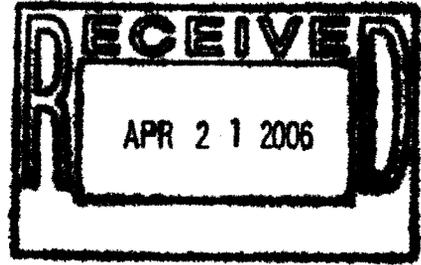


TA54 TWISP




• **Los Alamos**
NATIONAL LABORATORY
Office of the Laboratory Counsel
Environmental Safety Health Practice Group
P. O. Box 1663, Mail Stop A187
Los Alamos, New Mexico 87545
(505) 667-3766/Fax (505) 665-4424
E-Mail: etl@lanl.gov

Date: April 20, 2006
Refer to: LC/ESH: 06-004

James Bearzi
Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

Re: Request for Certification of Completion for Consent Agreement (TRU Mixed Waste Retrieval and Storage)

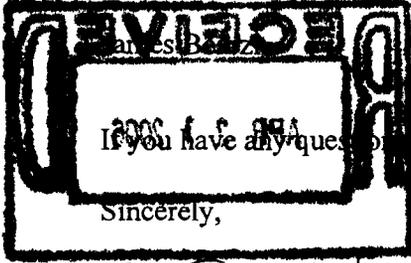
Dear Mr. Bearzi:

This letter requests a Certificate of Completion pursuant to the 1993 Consent Agreement between the New Mexico Environment Department (NMED), the United States Department of Energy (DOE), and the Regents of the University of California (UC). The Consent Agreement resolved Compliance Orders NMHWA 93-01 through 93-04 concerning the mixed transuranic waste stored at TA-54 Area G. The Consent Agreement required DOE and UC to retrieve all mixed TRU waste on Pads 1, 2, and 4 at Area G and to place the waste into storage meeting all applicable requirements of the New Mexico Hazardous Waste Act and Regulations.

In accordance with Section XVI of that Agreement, DOE and UC have determined that they have completed all the obligations of the Consent Agreement and hereby submit a Request for Certification of Completion. In support of this request, an affidavit from Gilbert M. Montoya is enclosed. Mr. Montoya was the Project Leader for the Transuranic Waste Inspectable Storage Project (TWISP) which implemented the NMED-approved Remedial Action Plan developed to satisfy the requirements of the Consent Agreement.



11933



April 20, 2006

If you have any questions, please contact Ellen Louderbough at 665-2286.

Sincerely,

Ellen T. Louderbough

Ellen T. Louderbough
Staff Attorney

Lisa Cummings
Attorney for DOE/NNSA

ETL/les

Enclosures

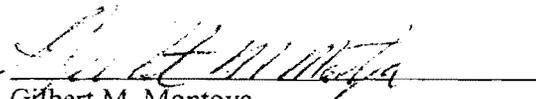
CC: Tracy Hughes, General Counsel, NMED
Gilbert Montoya, NWIS-TA-54 East, J595
Tony Grieggs, ENV-SWRC, K490
LC Records, A187
LC/ESH File

**CONSENT AGREEMENT
TRANSURANIC MIXED WASTE RETRIEVAL AND STORAGE**

AFFIDAVIT OF GILBERT M. MONTOYA

1. I, Gilbert M. Montoya, have been employed by the University of California at Los Alamos National Laboratory, since March of 1984. I have worked at TA-54 since 1994.
2. I was the Project Leader for the Transuranic Waste Inspectable Storage Project (TWISP), which was the project that implemented the Consent Agreement entered into by the New Mexico Environment Department (NMED), the U.S. Department of Energy (DOE), and the Regents of the University of California (UC). The Consent Agreement, effective December 10, 1993, resolved Compliance Orders 93-01, 93-02, 93-03, and 93-04, and required the retrieval and placement of mixed transuranic waste at TA-54 Area G into storage that is compliant with all applicable requirements of the New Mexico Hazardous Waste Act and Regulations. I make the following statements based on my personal knowledge of the project.
3. Pursuant to the NMED-approved Remedial Action Plan developed to satisfy the requirements of the Consent Agreement, the TWISP project retrieved all mixed waste stored on pads 1, 2, and 4 at Technical Area 54, Area G at LANL, and placed the removed waste into storage that meets all applicable requirements of the New Mexico Hazardous Waste Act and Regulations.
4. In accordance with Section IX.C of the Consent Agreement, all exceptions or variations in the work scope were documented in quarterly reports provided to NMED during the implementation of the project.
5. All actions required by the Consent Agreement have been completed.

FURTHER AFFIANT SAYETH NOT.



Gilbert M. Montoya

STATE OF NEW MEXICO)
)
) ss
)
COUNTY OF LOS ALAMOS)

Subscribed as sworn before me this 19th day of April, 2006 by Gilbert M. Montoya.

Lola E. Sandoval
Notary Public

My commission expires:
December 24, 2009

