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ENTERED



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**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*

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RON CURRY  
Secretary

JON GOLDSTEIN  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

September 9, 2008

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 Security, L.L.C.  
P.O. Box 1663, MS M992  
Los Alamos, NM 87545

**RE: NOTICE OF DISAPPROVAL  
MATERIAL DISPOSAL AREA G SOIL VAPOR EXTRACTION TEST STATUS,  
AUGUST 15, 2008  
LOS ALAMOS NATIONAL LABORATORY (LANL),  
EPA ID #NM0890010515  
EP2008-0447**

Dear Messrs. Gregory and McInroy:

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) *Material Disposal Area G Soil Vapor Extraction Test Status* (Status Report), dated August 15, 2008 and referenced by EP2008-0447. NMED has reviewed the status report and hereby issues this Notice of Disapproval (NOD).

The Approval with Modifications for the *Work Plan for the Implementation of an In-Situ Soil-Vapor Extraction Pilot Study at Technical Area 54, Material Disposal Area G, Revision 1*, dated June 11, 2008 (Plan) set forth a schedule for conducting and reporting on three pilot tests. The first pilot test was performed from July 1, 2008 through July 30, 2008 (Status Report submitted



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August 15, 2008); the second pilot test was performed from August 1, 2008 through August 30, 2008 (Status Report due September 15, 2008); and the third pilot test is scheduled for September 1, 2008 through September 30, 2008 (Status Report due October 15, 2008).

Although the Permittees met the deadline for submittal of the status report for the first pilot test, the Permittees did not present any data. The Permittees must submit the results of the pilot test, including the data, so NMED can evaluate the Corrective Measures Evaluation (CME) for MDA G. Because the Status Report lacks the results from the first pilot test, the Permittees must submit the results of the pilot tests conducted for both the Tshirege and Otowi members (first and second pilot tests) in a combined status report due no later than September 15, 2008.

The combined status report must contain summaries of all data acquired during the two tests. 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 Kristen Van Horn at (505) 476-6046 should you have any questions.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

cc:

D. Cobrain, NMED HWB  
K. Roberts, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
T. Skibitski, NMED DOE OB  
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file: TA-54 MDA G (SWMU 54-013(b)-99)