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TASY



National Nuclear Security Administration
Los Alamos Site Office, MS A316
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Date: **DEC 22 2009**
Refer To: EP2009-0682

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

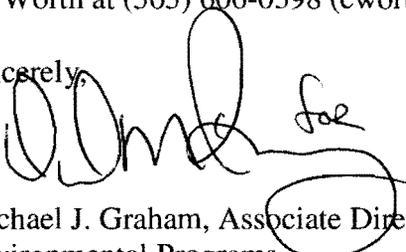
Subject: Path Forward on Well R-40 Notice of Disapproval

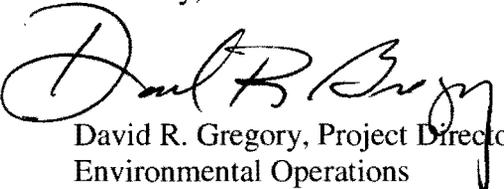
Dear Mr. Bearzi:

This letter documents a meeting held with your staff on December 15, 2009, to discuss the New Mexico Environment Department's (NMED's) November 24, 2009, Notice of Disapproval (NOD) for the Completion Report for Regional Aquifer Well R-40 and the path forward for resolution of the NOD. Per discussions in the meeting, it is the Los Alamos National Laboratory's (the Laboratory's) understanding that the following agreements were reached:

- The Laboratory has sufficient technical rationale that warrants NMED's consideration of the deferral of the installation of the additional perched-intermediate well;
- The Laboratory will provide a formal written response to the R-40 NOD, which documents this rationale, as a concurrent submittal with the revised R-40 completion report on January 15, 2010; and
- NMED agrees to defer the December 31, 2009, submittal date for the drilling work plan pending its review of the January 15, 2010, response to the NOD and revised R-40 completion report.

If you have any questions, please contact Ted Ball at (505) 665-3996 (tedball@lanl.gov) or Ed Worth at (505) 606-0398 (eworth@doeal.gov).

Sincerely,

Michael J. Graham, Associate Director
Environmental Programs
Los Alamos National Laboratory

Sincerely,

David R. Gregory, Project Director
Environmental Operations
Los Alamos Site Office



MG/DG/AB/TB:sm

Cy: Laurie King, EPA Region 6, Dallas, TX
Tom Skibitski, NMED-OB, Santa Fe, NM
Steve Yanicak, NMED-DOE-OB, MS M894
Ed Worth, DOE-LASO, MS A316
Annette Russell, DOE-LASO (date-stamped letter emailed)
Danny Katzman, ENG-TECH, MS M992
Ted Ball, PMF-SEC, MS M992
Andy Baumer, TA-54 Closure Project, MS C348
Michael J. Graham, ADEP, MS M991
Kristine Smeltz, EP-WES, MS M992
RPF, MS M707
IRM-RMMSO, MS A150 (date-stamped letter emailed)