



LOS ALAMOS COUNTY

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Steph

June 25, 1998



James H. Davis, Ph.D., Chief
Surface Water Quality Bureau
New Mexico Environment Department
1190 St. Francis Drive
Santa Fe, New Mexico 87502

Hswa LANL 1/11/4/61

RE: Response to Rubble Pile Issues Outlined in May 22, 1998, NMED Letter: Follow-up on Meeting held May 11, 1998, with County of Los Alamos Representatives Concerning the NMED-SWQB Notice of Violation (NOV), dated December 4, 1997.

Dear Dr. Davis,

As promised, this is to provide you Los Alamos County's response to the rubble pile issues raised in paragraph A of the subject letter. Each of the four issues, shown in bold print, will be addressed in the order presented in the subject letter.

1) Written confirmation that interim corrective measures in the form of Best Management Practices (BMPs) would be applied by an indicated date, and maintained at the Rubble Pile area. A record of maintenance by the County for these BMPs shall be established.

This letter confirms that the County intends to apply interim corrective measures in the form of Best Management Practices (BMPs) over the next two months with completion by August 31, 1998. Our proposed plan is described in Attachment 1, Erosion Control and Slope Stability Plan for Rubble Pile Area. You will note that this plan does not address actions to be taken on the south side of the rubble pile. Interim corrective measures for this area will be discussed in paragraph 2) below. Los Alamos County intends to perform monthly inspection and maintenance of the stabilized slopes of the rubble pile, and will maintain a record of these actions on the form provided as Attachment 2.

2) A written agreement with DOE/LANL regarding access needed in order to perform interim corrective measures. A copy of this access agreement or a full explanation of what efforts were made to obtain one and why these efforts failed, will be sent as part of the information required in thirty (30) calendar days.

The requested access agreement is provided as Attachment 3. As this area has been, and may again be, an active construction area, Los Alamos County intends to place interim erosion control measures in the form of silt fencing along the south slopes of the rubble pile by August 31, 1998. Until a formal determination is made by DOE on whether to continue the Sandia Canyon Road

"A Consolidated City and County Gove



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cc: David J. Riker, Public Works Director, LA County
Felicia Orth, Assistant County Attorney, LA County
E. Kelley, Director, NMED-WWMD
J. Sloan, NMED-OLC
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C. Hules, NMED-SWB
J. Parker, NMED-DOE/OB
S. Yanicak, NMED-DOE/OB, White Rock Office, MS J993
A. Rosenau, Chief, COE, Albuquerque District
J. Wood, COE, Albuquerque District
J. Vozella, Assistant Area Manager, LAAO
J. Plum, LAAME/LAAO, MS A316
L. Cummings, DOE/LAAO-OC
B. Koch, DOE/LAAO, MS A316
S. Rae, ESH-18, LANL, MS K497
File

Erosion Control and Slope Stability Plan
for
Rubble Pile Area

Background

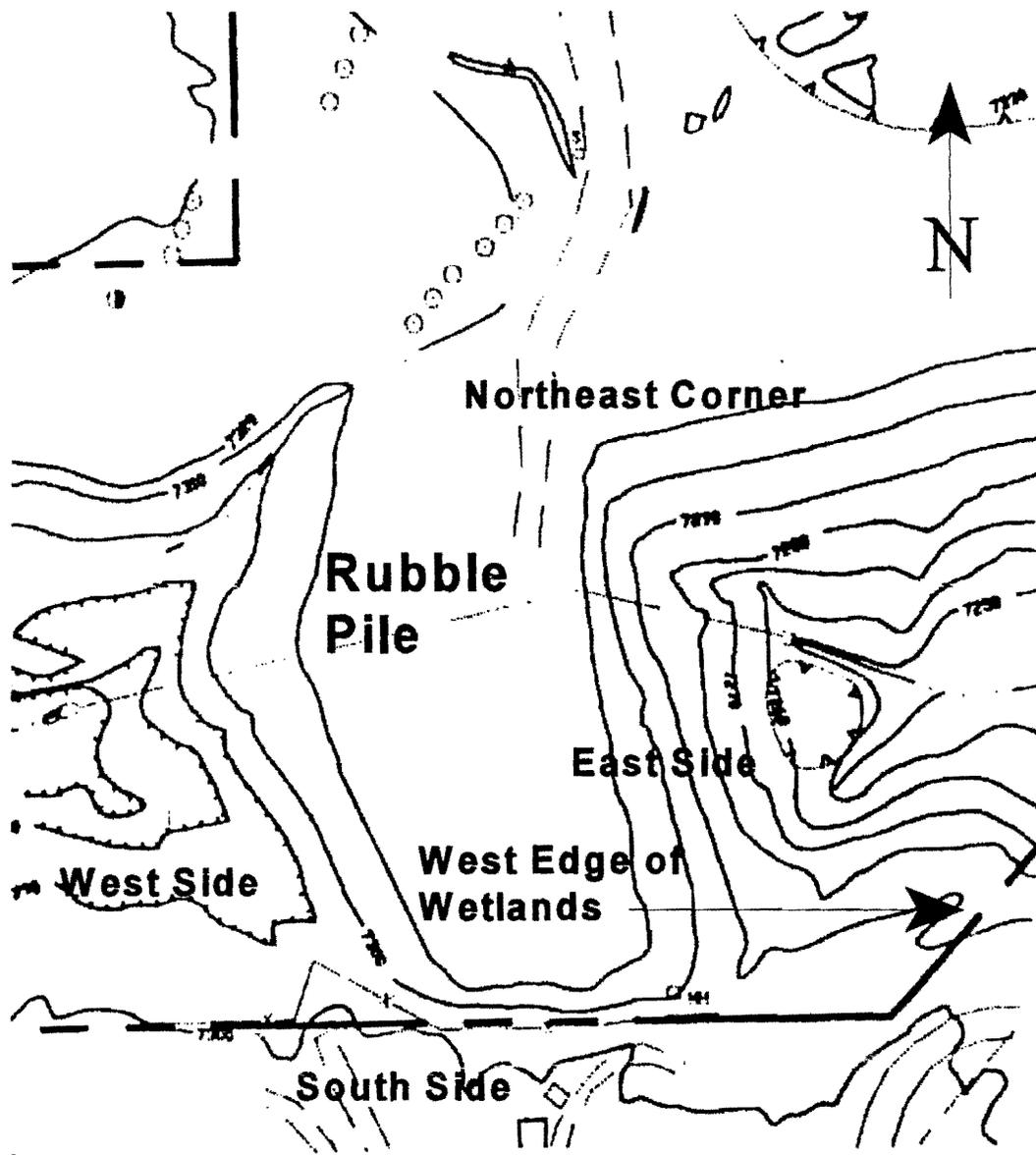
A rubble pile, presently inactive, is located in the southwest corner of the area designated as the Los Alamos County Landfill. This rubble pile contains construction and demolition debris from various locations in Los Alamos County. The purpose of this rubble pile is for disposal of construction and demolition debris as well as the fill material for a proposed road crossing of the canyon. The rubble pile has been utilized, until recently. During a recent inspection by the New Mexico Environment Department (NMED), it was discovered that this rubble pile was potentially contaminating the canyon water course. NMED has requested Los Alamos County to stop utilizing the rubble pile until such time as the contamination issues are addressed.

There were four areas that were identified as potentially contaminating the water course. These are the west side, east side, northeast corner and south side of the rubble pile. The contaminant of greatest concern from these four areas is sediment runoff. The following brief paragraphs present the proposed approach to addressing the sediment runoff problem for three of the four areas. The south side of the rubble pile has been previously addressed by others.

Proposed Corrective Action

West Side of Rubble Pile

At present, the west side of the rubble pile consists of a very steep side slope. This side slope does not allow for stabilization of the slope to control sedimentation runoff. To address this issue Los Alamos County Landfill staff will cut back the upper portion of the rubble pile to allow for initial stabilization. Once the rubble pile is trimmed back, a minimum of 24 inches of soil will be placed over the west side of the rubble area. The west side will be sloped at a 25% grade. The soil cover will then be disced, fertilized, and seeded to further enhance slope stabilization. At present, it is not intended to extend the existing 84-inch drain pipe.



Engineering Solutions & Design
3916 Juan Tabo Blvd NE
Albuquerque, NM 87111
(505) 298-1851



LOCATION MAP

ACCESS AGREEMENT

The parties to this Agreement are the Incorporated County of Los Alamos ("the County") and the United States Department of Energy ("DOE") at its Los Alamos Area Office. By Special Use Permit #DE-RO32-94AL96933, DOE granted the County use of government-owned land located on South Mesa above Sandia Canyon in Los Alamos, New Mexico on which to operate a municipal solid waste landfill. Implicit in the Special Use Permit is DOE's reservation of the right of entry onto the land.

This Access Agreement grants the County a right of entry onto and across that area of land abutting the Los Alamos County Landfill immediately to its south, more commonly described as the area between the "rubble pile" and the south bank of Sandia Canyon, or "Area 3.013 A.C.," as shown on the map titled "Los Alamos Sanitary Landfill (Preliminary Drawing", dated January, 1997 ("the property"), for the purpose of the County's installation of interim erosion control measures, as required by the New Mexico Environment Department ("NMED"), including but not limited to the placement of silt fencing and straw bales, as necessary.

The County, its contractors and/or subcontractors and/or the representatives it authorizes, shall have the right to enter the property for the purpose(s) stated above.

Upon completion of the necessary use of the property, the County shall repair and restore any and all areas of the property affected by its use to the property's condition before commencement of the County's use, or as close to its original condition as is reasonably possible; the interim erosion control measures required by NMED shall be considered a favorable action.

Subject to the limitations imposed by the New Mexico Tort Claims Act, NMSA 1978, Sections 41-4-1 et seq., the County shall be responsible for any and all claims, liabilities, losses and/or damages arising out of its access to or use of the property under this Agreement. DOE shall not be liable for any damage, injury, theft, claim or other basis for liability in connection with the County's use of or access to the property except to the extent that such damage, injury or theft arises from the gross negligence or willful acts or omissions of DOE, its contractors, or other invitees.

Any notice from the County to DOE shall be sent by mail or hand-delivered to:

Bonnie Koch
DOE/LAAO, MSA 316
528 35th Street
Los Alamos, New Mexico 87544

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Book No. MA 49 Page 728 Document 132520
Los Alamos County

Attachment 3

