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GOVERNOR

70-73
State of New Mexico
ENVIRONMENT DEPARTMENT

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 23, 2003

Ralph Erickson, Area Manager
Office of Los Alamos Site Operations
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

G. Pete Nanos, Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, NM 87545

**RE: AGREEMENT-IN-PRINCIPLE FOR DELIVERABLES FOR SOLID WASTE
MANAGEMENT UNIT (SWMU) 73-001(a), AIRPORT LANDFILL**

Dear Mr. Erickson and Mr. Nanos:

The Hazardous Waste Bureau of the New Mexico Environment Department (Department), the Department of Energy, and the University of California (the Permittees) have reached an agreement-in-principle regarding the Interim Measures Plan and Interim Measures Report for SWMU 73-001(a), the airport landfill. The Department has agreed not to issue a notice of deficiency (NOD) for the interim measures plan that was submitted by DOE on June 13, 2003. Instead, the Department has furnished the Permittees with a draft version of the NOD, to which the Permittees have agreed to respond by July 25, 2003. The parties recognize that some of the responses to the comments in the NOD will be included in the Interim Measures Report at a later date. The parties have agreed that the Department will provide its decision on the response no later than 30 days following receipt of the response (August 26, 2003). At that time, the Department will determine if the response is adequate. If the Department determines the response



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Mr. Ralph Erickson and G. Pete Nanos

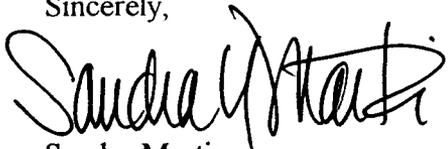
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is not adequate, the Permittees have agreed to resubmit the Interim Measures Plan to include the additional information. The parties agreed that the Interim Measures Report summarizing field activities and sampling results is due by March 1, 2004. If the HWB determined the response was inadequate, the Permittees will resubmit the Interim Measures Plan, complete the work, and submit the Interim Measures Report by March 1, 2004.

Should you have any questions, please feel free to contact me at (505) 428-2512.

Sincerely,



Sandra Martin

Acting Chief

Hazardous Waste Bureau

SM:dxg

cc: J. Bearzi, NMED
C. Lundstrom, NMED
C. de Saillan, NMED OGC
S. Hattenbach, NMED OGC
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