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Department of Energy
National Nuclear Security Administration
Service Center
P. O. Box 5400
Albuquerque, NM 87185



December 29, 2006

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



SUBJECT: Notification of Force Majeure for the "Investigation Report for Work Plan For Corrective Action Of SWMU 73–002 And Investigation Of Consolidated Unit 73–002–99"

Dear Mr. Bearzi:

In accordance with Section III.H of the Consent Order, the National Nuclear Security Administration (NNSA) is notifying the New Mexico Environment Department that a force majeure event beyond the reasonable control of NNSA has occurred which will delay the submittal of the "Investigation Report for Solid Waste Management Unit 73-002 and Investigation of Consolidated Unit 73-002-99." This letter serves as follow-up to our 72-hour notification, e-mail from David Gregory to the Hazardous Waste Bureau, (James Bearzi and Kathryn Chamberlain) on December 21, 2006.

The cause of the delay is accumulation of snow at the site that has and continues to cause extremely treacherous work conditions. The remaining field work for this project is removal of ash and debris from the north face of Pueblo Canyon. The majority of field work is being conducted on a canyon side slope of greater than 100%. In addition to concerns for worker safety, the moisture from melted snow inside the vacuum lines causes solid to clog the lines.

On Tuesday, December 19, 2006 a winter storm generated approximately 9-inches of snow at Los Alamos and the Ash Pile Site. Crews worked through December 19 but were forced to stop early on December 20 as footing on the frozen slope became too treacherous to continue. Work will resume



once conditions at the site are deemed safe. Barring additional severe weather the estimate of time lost due to this event is projected at 20 days.

The following actions have been or will be implemented to prevent and/or minimize delays:

1. All workers will be secured by rope and harness and will use foot-wear designed to help with walking or working in snow and ice.
2. Two vacuum trucks and separate crews will remain on site until the all residual ash material is removed. Employing two crews will improve chances that at least one vacuum system is functional, though it is expected that the vacuum lines may foul with moisture build up.
3. Soil and rock samples collected during the final 7 days of this project will be analyzed on an accelerated turn-around schedule to help recoup lost time caused by the snow delay.
4. All workers will be equipped with necessary cold weather gear.

Because of the actions taken by DOE to minimize down time, we anticipate the total number of days lost because of this event, to be approximately 20 work days. A more precise estimate of schedule delays will be provided once rates of waste retrieval are developed.

If you have any questions, please call me at (505) 665-5808.

Sincerely,



David Gregory, Federal Project Director
Department of Energy
Los Alamos Site Office

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