



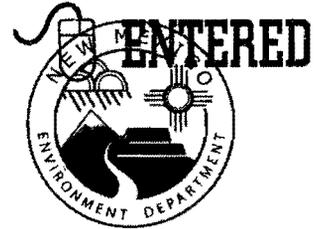
BILL RICHARDSON  
Governor

DIANE DENISH  
Lieutenant Governor

TA74  
NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Hazardous Waste Bureau*

2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Phone (505) 476-6000 Fax (505) 476-6030  
[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)



RON CURRY  
Secretary

SARAH COTTRELL  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

August 25, 2010

George J. Rael, Federal Projects Director  
Environmental Projects Office  
U.S. Department of Energy / National  
Nuclear Security Administration  
Los Alamos Site Office  
3747 West Jemez Road, MS A316  
Los Alamos, NM 87544

Michael J. Graham, Associate Director  
Environmental Programs  
Los Alamos National Security, L.L.C.  
P.O. Box 1663, MS M991  
Los Alamos, NM 87545

**RE: CONCURRENCE WITH LAND TRANSFER OF TRACT A-18-a (TA-74 SOUTH)  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID #NM0890010515**

Dear Messrs. Rael and Graham:

The New Mexico Environment Department (NMED) received the U. S. Department of Energy, National Nuclear Security Administration, Los Alamos Site Office's (LASO's) written notice of intent (dated December 1, 2004) to transfer Tract A-18 (TA-74 South) to the County of Los Alamos (LAC). Tract A-18 lies within the lower part of Pueblo Canyon. The size of the tract was originally reported to be approximately 622 acres and was updated recently to include only 520 acres.

The transfer notice identified Tract A-18 as being divided into of three areas, A-18-1, A-18-2, and A-18-3. On January 23, 2008, LASO sent NMED a letter to update the nomenclature and size of the Tract. Tract A-18 is now referred to as Tract A-18-a. Tract A-18-2 will be retained by LASO and is not part of transfer parcel. In addition, three fenced areas with a total of approximately 78 acres within A-18-a are considered Historic Preservation Easements (HPE) and will be retained by LASO and not transferred. The small fenced area referred to as Tract B-3 within HPE-B is to be quitclaimed to the Bureau of Indian Affairs for ultimate transfer to tribal



trust for the Pueblo of San Ildefonso and is not included in the transfer. As a result of these changes, the acreage of the Tract A-18-a is now reduced to 520 acres.

The Permittees (United States Department of Energy and the Los Alamos National Security, LLC) reported investigation results for the Pueblo Canyon in the *Los Alamos and Pueblo Canyons Investigation Report* (LA-UR-04-2714). NMED did not concur with the transfer request because the corrective measures implemented at the site were not considered protective of human health and the environment in light of intended use of the property (March 11, 2005). NMED required that additional investigations and a risk analysis be conducted prior to transfer. The *Los Alamos and Pueblo Canyon Supplemental Investigation Report* (December 2005) was submitted in response to NMED's notice of disapproval and was approved with direction on August 30, 2007. The Permittees were directed to take remedial actions to reduce transport of contaminated sediment and stabilize the wetlands in Pueblo Canyon to prevent further erosion and contamination migration.

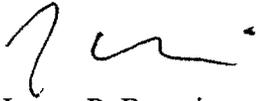
The Permittees have completed installation of a grade-control structure (GCS) in the Pueblo Canyon to prevent contaminant migration and to stabilize and enhance upstream wetland areas. A stream gage station was constructed downstream of the structure to monitor the efficiency of the GCS in mitigating sediment transport. The *Completion Report for Pueblo Canyon Grade-Control Structure and Gage Station E060.1* was submitted in June 2010. The Permittees will continue to monitor the effectiveness of mitigation measures installed in the Pueblo Canyon. NMED may require additional action if monitoring indicates that the structures are not performing as anticipated.

In accordance with Section III.Y.1.a of the Consent Order, a meeting was held between representatives of NMED, LASO, LAC, and Los Alamos National Laboratory (LANL) on January 13, 2005 to discuss the transferee's intended use of the property. The transferee intends to use the land for recreational purposes. Because of the location of the tract in the canyon, the transferee has no plans to develop the land. NMED has determined that the corrective measures implemented in the Pueblo Canyon are protective of human health and the environment in light of the transferee's intended use. NMED concurs with the transfer of property because there is no known unacceptable threat to human health or the environment from documented contamination at the site.

Messrs. Rael and Graham  
August 25, 2010  
Page 3

Should you have any questions, please contact Neelam Dhawan at (505) 476-6042.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

BRZ: nmd

cc: N. Dhawan, NMED HWB  
D. Cobrain, NMED HWB  
J. Kieling, NMED HWB  
S. Yanicak, NMED DOE OB, MS M894  
L. King, EPA 6PD-N  
V. Loucks, DOE LASO, MS A316  
file: Reading and LANL 2010 (Land Transfer, Tract A-18-a )