



NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

BILL RICHARDSON
Governor

2905 Rodeo Park Drive East, Building 1

Santa Fe, New Mexico 87505-6303

RON CURRY
Secretary

DIANE DENISH
Lieutenant Governor

Phone (505) 476-6000 Fax (505) 476-6030

JON GOLDSTEIN
Deputy Secretary

www.nmenv.state.nm.us

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 7, 2009

David Gregory
Federal Project Director
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

David McInroy
Remediation Services Deputy Project Director
Los Alamos National Laboratory
P.O. Box 1663, MS M992
Los Alamos, NM 87545

**RE: APPROVAL WITH MODIFICATIONS FOR SEDIMENT REMOVAL
AT THE LOS ALAMOS CANYON LOW HEAD WEIR
LOS ALAMOS NATIONAL LABORATORY (LANL),
EPA ID #NM0890010515
HWB-LANL-08-004**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Supplemental Interim Measures Work Plan to Mitigate Contaminated Sediment Transport in Los Alamos and Pueblo Canyons* (Plan), dated October 2008 and referenced by LA-UR-08-6588/EP2008-0519. NMED has reviewed the portion of the Plan pertinent to the excavation of sediment from behind the Los Alamos/Pueblo Canyon low head weir and the land application of the removed sediment. NMED approves the aforementioned portion of the Plan subject to the following modifications.

The Permittees must submit a comparison of all detected analytes to the approved Ecological Screening Levels (ESL) to NMED a minimum of seven days prior to the commencement of the field work. While the sediment passes all residential human risk factors, NMED requires an assessment of the sediment for ecological risk factors. If the sediment does not pass the ESLs, then the Permittees are not authorized to land apply the sediment. Additionally, the Permittees

Messrs. Gregory and McInroy
January 7, 2009
Page 2

must ensure that appropriate engineering controls are in place to prevent the sediment from eroding and reentering the stream channel.

Please contact Kristen Van Horn at (505) 476-6046 should you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc:

D. Cobrain, NMED HWB
K. Roberts, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
L. King, EPA 6PD-N
G. Rael, DOE LASO, MS A316
M. Graham, ENV MS J591
file: Reading and LANL'08