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*Date:* December 22, 2008  
*Refer To:* EP2008-0670

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

**Subject: Response to Notice of Disapproval Corrective Measure Evaluation Report for Material Disposal Area G and Request for Extension to Submit a Revised Corrective Measures Evaluation Report**

Dear Mr. Bearzi:

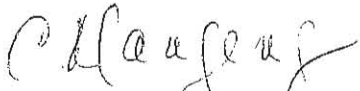
Los Alamos National Laboratory (the Laboratory) and the U.S. Department of Energy are responding to New Mexico Environment Department's (NMED's) notice of disapproval (NOD) and requesting an extension for the delivery date associated with the Material Disposal Area (MDA) G corrective measures evaluation (CME) report from December 31, 2008, to April 24, 2009, or October 22, 2010. This request for an extension is submitted pursuant to Section III.J.2 of the March 1, 2005, Compliance Order on Consent and is necessary because additional work required based on NOD comments 1, 3, and 7 do not accommodate a December 31, 2008, submittal date.

On November 21, 2008, the Laboratory received an NOD for the CME report for MDA G, Consolidated Unit 54-013(b)-99, at Technical Area 54, stating that based on a preliminary review, seven general comments must be addressed before NMED can begin a full technical review of the document. The NOD further states that all comments must be addressed and a revised CME report must be submitted on or before December 31, 2008. Attachment A to this letter provides the Laboratory's response to NMED's comments.

Attachments B-1 and B-2 contain two separate schedules associated with our request. Currently, it is unknown whether the two new alternatives the Permittees have been directed to evaluate (see Comment 3 in NMED's letter dated November 20, 2008) will pass the initial CME screening criteria. If the two new alternatives do not pass, the schedule contained in Attachment B-1 is appropriate and would result in the Permittees submitting a revised CME report by April 24, 2009. If either of the two new alternatives requires additional evaluation, a detailed site feasibility study and hydrogeologic investigation will need to be performed. In this case, the schedule associated with Attachment B-2 indicates a CME delivery date of October 22, 2010.

If you have any questions, please contact Steve Paris at (505) 606-0915 (smparis@lanl.gov) or Ed Worth at (505) 606-0398 (eworth@doeal.gov).

Sincerely,



Michael Graham, Associate Director  
Environmental Programs  
Los Alamos National Laboratory

Sincerely,



David R. Gregory, Project Director  
Environmental Operations  
Los Alamos Site Office

MG/DG/DM/SP:sm

Attachment: a/s

Cy: Laurie King, EPA Region 6, Dallas, TX  
Steve Yanicak, NMED-OB, White Rock, NM  
Tom Skibitski, NMED-OB, Santa Fe, NM  
Kim Birdsall, North Wind, Los Alamos, NM  
Keyana DeAgüero, DOE-LASO (date-stamped letter emailed)  
Ed Worth, DOE-LASO, MS A316  
Steve Paris, EP-CAP, MS M992  
Dave McInroy, EP-CAP, MS M992  
Michael J. Graham, ADEP, MS M991  
Alison M. Dorries, WES-DO, MS M992  
Kristine Smeltz, WES-DO, MS M992  
EP-CAP File, MS M992  
RPF, MS M707  
IRM-RMMSO, MS A150 (date-stamped letter emailed)

**Attachment A**