

Environmental Programs
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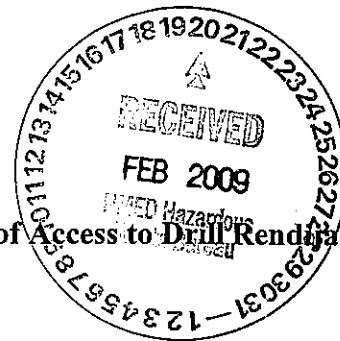


National Nuclear Security Administration
Los Alamos Site Office, MS A316
Environmental Restoration Program
Los Alamos, New Mexico 87544
(505) 667-4255/FAX (505) 606-2132

Date: February 20, 2009
Refer To: EP2009-0113

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

Subject: Submittal of Documentation of U.S. Forest Service Denial of Access to Drill Rendija Canyon Alluvial Well



Dear Mr. Bearzi:

Please find attached the letter that Los Alamos National Laboratory (the Laboratory) received from the U.S. Forest Service (USFS) dated January 15, 2009, denying the Laboratory authorization to install an alluvial groundwater monitoring well on the New Mexico Environment Department- (NMED-) approved location on USFS land in Rendija Canyon. Installation of the alluvial well is a requirement under the approved North Canyons Investigation Work Plan. The attached letter explains that the denial is driven by an ongoing land transfer process with Los Alamos County and states that an addition of new encumbrances cannot be included while the conditions of land transfer are under negotiation.

NMED's July 15, 2008, letter formalizing the list of documents subject to stipulated penalties for fiscal year 2009 recognizes that the North Canyons Investigation Report may not include the data from the planned alluvial well due to conditions of access to install the well and requires that the Laboratory document due diligence of the effort to obtain access. The attached letter from the USFS represents that documentation.

The Laboratory anticipates that once the land transfer to Los Alamos County is complete, access to the property will be granted via a new request submitted by the Laboratory to Los Alamos County. After installation, the well and the associated sampling program will be added to the groundwater monitoring work and formally added to the next annual revision to the Interim Facility-Wide Groundwater Monitoring Plan.

If you have any questions, please contact Danny Katzman at (505) 667-6333 (katzman@lanl.gov) or Suzy Schulman at (505) 606-1962 (sschulman@doeal.gov).

Sincerely,



Michael J. Graham, Associate Director
Environmental Programs
Los Alamos National Laboratory

Sincerely,



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

MG/DG/PH/DK:sm

Attachment: Letter from the U.S. Forest Service, dated January 15, 2009

Cy: Laurie King, EPA Region 6, Dallas, TX
Steve Yanicak, NMED-OB, White Rock, NM
Tom Skibitski, NMED-OB, Santa Fe, NM
Keyana DeAgüero, DOE-LASO (date-stamped letter emailed)
Suzy Schulman, DOE-LASO, MS A316
Danny Katzman, EP-LWSP, MS M992
Paul Huber, EP-LWSP, MS M992
Michael J. Graham, ADEP, MS M991
Alison M. Dorries, WES-DO, MS M992
Kristine Smeltz, WES-DO, MS M992
EP-LWSP File, MS M992
RPF, MS M707
IRM-RMMSO, MS A150 (date-stamped letter emailed)



United States
Department of
Agriculture

Forest
Service

Santa Fe National Forest

Espanola Ranger District
P.O. Box 3307, Fairview Station
1710 N. Riverside Dr.
Espanola, New Mexico 87533
505-753-7331 FAX 505-753-9411

File Code: 2700

Date: January 15, 2009

Mr. Mark Everett
Los Alamos National Laboratory
PO Box 1663 Mailstop 992
Los Alamos, NM 87545

Dear Mr. Everett,

Last year you proposed to drill a monitoring well in Rendija Canyon in order to monitor ground water in the vicinity. I understand that this well is important for you to drill because of regulatory requirements of the Environmental Protection Agency and New Mexico Environment Department. Because of circumstances I'll explain below, I am rejecting this proposal.

As you are aware, the location you have identified for this well would be on National Forest system land that will be transferred to the County of Los Alamos as part of the San Ildefonso Settlement Act (Public Law 109-286). Section 10 of the Act specifically prohibits the Forest Service from encumbering these lands, unless necessary or desirable to protect lives or property. Because I have received no indication that the well is immediately necessary or desirable to protect lives or property, regulation requires that I return your proposal because it has not met our initial screening criteria, specifically, because your proposal is inconsistent with Public Law 109-286.

If you would like further information, please feel free to contact Annie Apodaca, Española Ranger District Recreation and Lands Program Manager, at (505)753-7331.

Thank you for your understanding.

Sincerely,


SANFORD HURLOCKER
District Ranger

