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Date: **MAY 20 2011**  
 Refer To: EP2011-0190

John Kieling, Acting Bureau Chief  
 Hazardous Waste Bureau  
 New Mexico Environment Department  
 2905 Rodeo Park Drive East, Building 1  
 Santa Fe, NM 87505-6303

**Subject: Request for Certificates of Completion for Thirty-Three Solid Waste Management Units and Twelve Areas of Concern in the Middle Mortandad/Ten Site Aggregate Area**

Dear Mr. Kieling:

In accordance with Section VII.E.6.b of the Compliance Order on Consent (Consent Order), Los Alamos National Laboratory (the Laboratory) and the U.S. Department of Energy (DOE) are requesting Certificates of Completion without Controls for the following 23 solid waste management units (SWMUs) and areas of concern (AOCs) within the Middle Mortandad/Ten Site Aggregate Area:

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| SWMU 05-006(h), Soil Contamination     | AOC 35-011(d), Underground Storage Tank              |
| SWMU 35-002, Material Disposal Area X  | SWMU 35-014(a), Operational Release                  |
| SWMU 35-004(b), Storage Areas          | AOC 35-014(f), Soil Contamination                    |
| SWMU 35-004(g), Container Storage Area | AOC 35-014(g2), Soil Contamination                   |
| AOC 35-004(m), Container Storage Area  | SWMU 52-002(a), Septic System                        |
| AOC C-35-007, Soil Contamination       | AOC 52-003(a), Waste Water Treatment Facility (WWTF) |
| SWMU 35-009(b), Septic System          | AOC 60-004(c), Storage Area                          |
| SWMU 35-009(c), Septic System          | AOC 60-004(e), Storage Area                          |
| SWMU 35-010(a), Sanitary Lagoon        | SWMU 60-005(a), Surface Impoundment                  |
| SWMU 35-010(b), Sanitary Lagoon        | SWMU 63-001(a), Septic System                        |
| SWMU 35-010(c), Sanitary Lagoon        | SWMU 63-001(b), Septic System                        |
| SWMU 35-010(d), Sand Filters           |  |

Each of these 23 sites was recommended for Corrective Action Complete without Controls in the report entitled Investigation Report for the Middle Mortandad/Ten Site Aggregate Area, Revision 2 (LA-UR-08-0336/EP2008-0035). The report substantiates that the nature and extent of contamination are defined at each of the above-referenced sites and demonstrates that each site does not pose potential unacceptable risks or doses to human health under the residential scenario.

In addition, the report demonstrates that each of the above sites does not pose potential risk to ecological receptors. Therefore, neither site controls nor additional future actions under the Consent Order are necessary at the 23 sites.

Additionally, the Laboratory and DOE are requesting Certificates of Completion with Controls for the following 22 SWMUs and AOCs within the Middle Mortandad/Ten Site Aggregate Area:

SWMU	35-003(a), WWTF (Ind.)	AOC	35-003(misc.), Waste Lines (Ind.)
SWMU	35-003(b), WWTF (Ind.)	SWMU	35-003(n), WWTF (Ind.)
SWMU	35-003(c), WWTF (Ind.)	SWMU	35-003(o), WWTF (Ind.)
SWMU	35-003(d), WWTF (Rec.)	SWMU	35-003(q), WWTF (Rec.)
SWMU	35-003(e), WWTF (Ind.)	SWMU	35-009(e), Septic System (Rec.)
SWMU	35-003(f), WWTF (Ind.)	SWMU	35-014(b), Leaking Drum (Ind.)
SWMU	35-003(g), WWTF (Ind.)	AOC	35-014(d), Operational Release (Ind.)
SWMU	35-003(j), WWTF (Ind.)	SWMU	35-015(a), Soil Contamination (Ind.)
SWMU	35-003(k), WWTF (Ind.)	SWMU	35-015(b), Waste Oil Treatment (Ind.)
SWMU	35-003(l), WWTF (Rec.)	AOC	35-016(j), Storm Drain (Rec.)
SWMU	35-003(m), WWTF (Ind.)	AOC	35-018(a), Transformer (Ind.)

Each of these 22 sites was proposed for Corrective Action Complete with Controls in the report entitled Investigation Report for the Middle Mortandad/Ten Site Aggregate Area, Revision 2 (LA-UR-08-0336/EP2008-0035). The report substantiates that the nature and extent of contamination are defined at each of these sites and demonstrates that the sites do not pose potential unacceptable risks or doses to human health under the industrial or recreational land-use scenarios (as specified above with "Ind." for industrial and "Rec." for recreational), which are the current and reasonably foreseeable future land uses. Although potential unacceptable risk exists at these sites under the residential scenario, the sites are located on DOE property and will remain so for the foreseeable future, ensuring that the sites will not be used for residential purposes. Because these sites pose a potential unacceptable risk or dose under the residential scenario, but not under current and reasonably foreseeable future land uses (industrial or recreational), site control (the maintenance of the site as industrial or recreational) is required for these 22 sites.

The report was approved in the New Mexico Environment Department's (NMED's) April 1, 2008, letter, Approval with Direction (for the) Investigation Report for the Middle Mortandad/Ten Site Aggregate, Revision 2 (HWB-LANL-05-016). In its letter, NMED noted the potential for these sites to adversely affect surface water quality and indicated that issuance of certificates of completion is contingent upon demonstrating that the sites do not adversely impact surface water. This requirement was reiterated in a subsequent letter dated May 4, 2011 (HWB LANL-11-016). In response to this letter, the Laboratory offers the following information.


Discharge of stormwater runoff from SWMUs and AOCs is regulated under the Laboratory's National Pollutant Discharge Elimination System (NPDES) individual permit for stormwater discharges from SWMUs and AOCs. As part of the individual permit application, the Laboratory evaluated all of its SWMUs and AOCs for the potential to discharge stormwater runoff to surface water. The U.S. Environmental Protection Agency included in the individual permit only those SWMUs and AOCs with the potential to discharge to receiving waters. Because the 45 sites listed

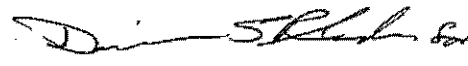
above do not discharge stormwater runoff to receiving waters, they are not included in the individual permit. Therefore, in accordance with NMED's May 4 letter, these sites do not adversely impact surface water and are appropriate for certificates of completion.

If you have any questions, please contact Becky Coel-Roback at (505) 665-5011 (becky\_cr@lanl.gov) or Cheryl Rodriguez at (505) 665-5330 (crodriguez2@doeal.gov).

Sincerely,

Sincerely,

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

  
George J. Rael, Manager  
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MG/GR/BCR/LN:sm

Cy: Laurie King, EPA Region 6, Dallas, TX  
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