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From:(Senders - Organization) JAMES BEARZI, NMED
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October 22nd, 2009

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 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, Mail Stop A992
Los Alamos, NM 87545

**RE: REQUEST FOR INFORMATION
ABANDONED WELLS AND BOREHOLES
LOS ALAMOS NATIONAL LABORATORY AND SURROUNDING AREA
EPA ID #NM0890010515
HWB-LANL-GW-MISC**

Dear Messrs. Gregory and McInroy:

Pursuant to Section 74-4-4.3.A of the New Mexico Hazardous Waste Act ("HWA"), NMSA 1978, the New Mexico Environment Department (NMED) hereby requests that the United States Department of Energy (DOE) and Los Alamos National Security, L.L.C. (the Permittees) provide NMED the information specified below pertaining to abandoned or potentially abandoned wells and boreholes at and in the vicinity of Los Alamos National Laboratory.

Section 74-4-4.3.A of the HWA provides that "[f]or the purposes of ... taking any corrective action or enforcing the provisions of the Hazardous Waste Act, upon request of the Secretary or his authorized representative, any person who generates, stores, treats, transports, disposes of or otherwise handles or has handled hazardous wastes shall furnish information relating to such hazardous wastes. . . ." Likewise, section 3007(a) of RCRA provides that "[f]or purposes of developing or assisting in the development of any regulation or enforcing the provisions of [RCRA], any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any . . . duly designated officer, employee, or representative of a State having an authorized hazardous waste program, furnish information relating to such wastes." (42 U.S.C. § 6927(a)).

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Rec'd 10/29/09

The requested information concerns the status of the following wells or boreholes, known to NMED by the following monikers:

1. Beta Hole
2. Distillation holes at TA-21 and TA-46
3. DT-5, DT-5P and all other TA-49 wells/boreholes
4. H-19
5. Layne Western
6. Sigma Mesa EGH-LA-1
7. SHB-1
8. SHB-2
9. SHB-3
10. SHB-4
11. TH-5
12. TH-6
13. TH-7
14. USGS Test Hole east of MDA C

NMED requests documentation for each well or borehole listed above, to include the following:

1. Identifiers and construction details for the wells (*e.g.*, designation, location, date drilled, total depth drilled, presence and dimensions of surface casing and/or well casing, screen and filter-pack dimensions, sealant placement).
2. Well logs for each well or borehole.
3. Current condition of the wells (*e.g.*, open, plugged and abandoned, or unknown).
4. If abandoned, the methods used to plug and abandon the well.
5. Water-bearing zone(s) intersected and/or screened by each well.
6. Depth or vertical distance to nearest water-bearing zone and top of regional aquifer.

Should documentation responsive to this request not exist, NMED requests that the Permittees provide information for each well or borehole to the best of their knowledge.

Your compliance with this information request is mandatory. Failure to respond fully and truthfully within the time specified herein, or adequately justify such failure to respond, may result in an enforcement action by NMED pursuant to Section 74-4-10 of the HWA. Section 74-4-12 of the HWA provides that any person who violates any provision of HWA "may be assessed a civil penalty not to exceed ten thousand dollars (\$10,000) for each day during any portion of which a violation occurs." *See also* Sections 74-4-10.A and B of the HWA. The HWA also provides for criminal fines and imprisonment for

Messrs. Gregory and McInroy
October 7, 2009
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knowingly omitting material information or making a false statement or representation in any document used for compliance with Section 74-4-11.A(3) of the HWA.

Please provide the requested information to NMED by December 4, 2009. If the requested information is not available or known, the Permittees must state so in the response to this Information Request. Should you have any questions or comments, please contact Michael Dale at (505) 661-2673 or 472-6052.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:md

cc: D. Cobrain, NMED HWB
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file: Reading and LANL Groundwater General, Request for Information on Abandoned Wells