



SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lieutenant Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

***Hazardous Waste Bureau***

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DAVE MARTIN  
Cabinet Secretary

BUTCH TONGATE  
Deputy Secretary

THOMAS SKIBITSKI  
Acting Director  
Resource Protection Division

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EP2013-5036

February 8, 2013

Peter Maggiore, Assistant Manager  
Environmental Projects Office  
Department of Energy/National  
Nuclear Security Administration  
Los Alamos Site Office  
3747 West Jemez Road, Mail Stop A316  
Los Alamos, NM 87544

Jeff Mousseau, Associate Director  
Environmental Programs  
Los Alamos National Security, LLC  
P.O. Box 1663, MS M991  
Los Alamos, NM 87545

**RE: REVIEW  
EROSION CONTROLS ASSOCIATED WITH FISHLADDER CANYON  
[SOLID WASTE MANAGEMENT UNIT 16-003(o)]  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID #NM0890010515  
HWB-LANL-12-071**

Dear Messrs. Maggiore and Mousseau:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security, LLC (LANS) (collectively, the Permittees) *Erosion Controls Associated with Fishladder Canyon [Solid Waste Management Unit 16-003(o)]* dated December 18, 2012 and referenced by EP2012-0290.

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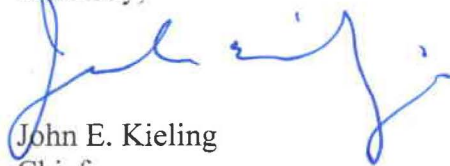
The Permittees are required to conduct annual inspections of the erosion controls installed in the drainages and slopes of Fishladder Canyon (*see* Approval with Modifications for the Phase II Investigation Report for TA-16-340 Complex, February 9, 2009). SWMU 16-003(o) is included in the Permittee's National Pollutant Discharge Elimination System Individual Permit and storm water control inspections are conducted under the individual permit.

The Permittees report that three inspections were conducted between June 5, and October 9, 2012, following two rain events. The Permittees report that two maintenance issues that were identified were resolved within 5-10 business days of discovery. The report explained the nature of the maintenance issues the measures taken to resolve them. The report also included photo documentation of individual controls documenting proof of erosional controls which facilitated NMED's review of this report.

The inspections have been completed under the U.S. Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System Stormwater Individual Permit (Permit No. NM0030759). The Permittees must continue to submit inspection reports annually to NMED to fulfill the obligations outlined in the consent order. The 2013 inspection report documenting the proof of maintenance of erosion controls must be submitted to NMED no later than December 31, 2013, and annually each subsequent year by December 31<sup>st</sup>.

Please contact Siona Briley of my staff at (505) 476-6049 should you have any questions.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

cc:

- T. Skibitki NMED
- J. Kieling, NMED HWB
- D. Cobrain, NMED HWB
- N. Dhawan, NMED HWB
- S. Briley, NMED HWB
- R. Powell, NMED-SWQB
- S. Yanicak, NMED DOE OB, MS J993
- L. King, EPA 6PD-N
- W. Woodworth, DOE-LASO, MS A316
- S. Veenis EP-CAP, MS M997
- File: LANL, Fishladder Canyon, SWMU 16-003(o), 2012

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New Mexico Environment Department  
Hazardous Waste Bureau  
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