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DEC 19 2014



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NMED
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Date: DEC 19 2014

Refer To: ADESH-14-151

LAUR: N/A

Locates Action No.: N/A

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

Subject: Request to Defer Submittal of the Phase II Investigation Report for Upper Cañada del Buey Aggregate Area

Dear Mr. Kieling:

This letter requests a deferral of the December 28, 2014, date to submit the Phase II Investigation Report for Upper Cañada del Buey Aggregate Area so the U.S. Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) can prepare a supplemental investigation report (SIR) for this aggregate area. Although the Upper Cañada del Buey Aggregate Area SIR is currently not required under the March 2005 Compliance Order on Consent (the Consent Order), DOE/LANS intend to submit the SIR to the New Mexico Environment Department (NMED) by August 31, 2015.

In January 2012, NMED and DOE/LANS entered into a *Framework Agreement: Realignment of Environmental Priorities* (Framework Agreement) at Los Alamos National Laboratory. Under the Framework Agreement, NMED and DOE agree to review characterization efforts undertaken to date pursuant to the Consent Order to identify those sites where the nature and extent of contamination have been adequately characterized. The Framework Agreement also stipulated the use of U.S. Environmental Protection Agency (EPA) guidance in this process, except in cases where EPA guidance is not supported by sound science. Pursuant to the Framework Agreement, DOE/LANS reviewed the data evaluation process with respect to EPA guidance and the Framework Agreement principles and concluded that this process could be revised to complete site characterization more efficiently while providing full protection of human health and the environment. Specifically, the process for evaluating data to define extent of contamination was revised to provide a greater emphasis on risk/dose reduction, consistent with EPA guidance.

Upper Cañada del Buey Aggregate Area is 1 of 11 aggregate area investigation reports proposed to be reevaluated and SIRs submitted. The SIRs will present recommendations for sites requiring additional sampling and/or remediation and recommend certificates of completion (COCs) with or without controls, as appropriate. The SIRs will also propose new dates for Phase II work plans should additional characterization sampling or remediation actions be warranted. DOE/LANS request the December 28, 2014, date be deferred until the SIR for Upper Cañada del Buey Aggregate Area is submitted and NMED has the opportunity to review and comment on the report.

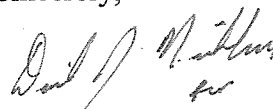
If you have any questions, please contact Kent Rich at (505) 665-4272 (krich@lanl.gov) or Ramoncita Massey at (505) 665-7771 (ramoncita.massey@nnsa.doe.gov).

Sincerely,



Michael T. Brandt, DrPH, CIH, Associate Director
Environment, Safety, and Health
Los Alamos National Laboratory

Sincerely,



Peter Maggiore, Assistant Manager
Environmental Projects Office
Los Alamos Field Office

MB/PM/DM/KR:sm

Cy: Laurie King, EPA Region 6, Dallas, TX (date-stamped letter emailed)
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Kent Rich, EP-CAP (date-stamped letter emailed)
Dave McInroy, EP-CAP (date-stamped letter emailed)
Randy Erickson, ADEP (date-stamped letter emailed)
Katie Roberts, ADESH-ENV-CP (date-stamped letter emailed)
Tony Grieggs, ADESH-ENV-CP (date-stamped letter emailed)
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Michael Lansing, PADOPS (date-stamped letter emailed)
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