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RYAN FLYNN
Cabinet Secretary
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Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 28, 2015

Doug Hintze, Manager
U.S. Department of Energy
EM-Los Alamos Field Office, DOE
3747 West Jemez Rd, MS A316
Los Alamos, NM 87544

Michael Brandt, Associate Director
Environment, Safety, Health
Los Alamos National Laboratory
P.O. Box 1663, MS K491
Los Alamos, NM 87545

**RE: CERTIFICATES OF COMPLETION
FOUR SOLID WASTE MANAGEMENT UNITS AT TECHNICAL AREA 5
LOWER MORTANDAD/CEDRO CANYONS AGGREGATE AREA
EPA ID #NM0890010515
HWB-LANL-15-030**

Dear Messrs. Hintze and Brandt:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Request for Certificates of Completion for Four Solid Waste Management Units in the Lower Mortandad/Cedro Canyons Aggregate Area* (Request), dated June 15, 2015 and referenced by ADESH-15-087.

Four solid waste management units (SWMUs) [SWMU 05-003, SWMU 05-004, SWMU 05-005(b), and SWMU 05-006(c)] were recommended for corrective action complete in the *Investigation Report for the Lower Mortandad/Cedro Canyons Aggregate Area Investigation Report, Revision 1* (Report), dated August 2012 (LA-UR-12-23970/EP2012-0188). NMED issued an Approval with Modifications letter (AWM) for the Report on September 10, 2012.

The AWM directed the Permittees to “[c]onduct and submit a human health risk assessment which considers a construction worker scenario in the event of future development of sites located within Technical Area 5”. The Request does not address the risk assessment for the construction worker scenario. NMED’s records indicate that the risk assessment required by the


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AWM was never submitted. The Permittees must submit results of the human health risk assessment for the construction worker scenario for these sites before NMED can evaluate whether these sites qualify for corrective action complete under the Consent Order.

Please contact Neelam Dhawan at (505) 476-6042, if you have any questions.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: K. Roberts, NMED-RPD
D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
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File: 2015 LANL, Certificates of Completion for SWMUs in TA-5, LMCC AA
LANL 15-030

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