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Date: **AUG 31 2011**
Refer To: EP2011- 0297

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 Twenty-Seven Solid Waste Management Units and Ten 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 27 solid waste management units (SWMUs) and areas of concern (AOCs) within the Middle Mortandad/Ten Site Aggregate Area:

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| SWMU 04-001, Firing Site | AOC 35-010(e), Release from Sand Filter |
| SWMU 04-002, Surface Disposal | SWMU 35-014(e), Oil Spill |
| SWMU 04-003(b), Outfall | AOC 35-014(e2), Oil Spill |
| SWMU 05-001(a), Former Firing Site | SWMU 35-014(g), Soil Contamination |
| SWMU 05-001(b), Former Firing Site | SWMU 35-016(a), Drains & Outfalls |
| AOC 05-001(c), Former Firing Site | AOC 35-016(b), Outfall |
| SWMU 05-002, Canyon-side Disposal | AOC 35-016(e), Outfall |
| SWMU 05-005(a), Former French Drain | AOC 35-016(f), Storm Drain |
| SWMU 05-006(b), Soil Contamination | SWMU 35-016(i), Drains & Outfalls |
| SWMU 05-006(e), Soil Contamination | SWMU 35-016(m), Drains & Outfalls |
| SWMU 35-004(a), Storage Areas | AOC 35-016(n), Storm Drain |
| SWMU 35-004(h), Container Storage Area | SWMU 35-016(p), Outfall |
| SWMU 35-008, Surface Disposal & Landfill | SWMU 35-016(q), Drains & Outfalls |
| SWMU 35-009(d), Septic System | |

Each of these 27 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 27 sites.

Additionally, the Laboratory and DOE are requesting Certificates of Completion with Controls for the following 10 SWMUs and AOCs within the Middle Mortandad/Ten Site Aggregate Area:

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|---|--|
| SWMU 35-003(h), WWTF (Ind.) | SWMU 35-016(c), Outfall (Rec.) |
| SWMU 35-003(p), WWTF (Ind.) | SWMU 35-016(d), Outfall (Rec.) |
| AOC 35-003(r), Outfall (Rec.) | SWMU 35-016(k), Drains & Outfalls (Rec.) |
| SWMU 35-009(a), Septic System (Ind. & Rec.) | AOC 35-016(l), Storm Drain (Rec.) |
| AOC 35-014(g3), Soil Contamination (Rec.) | SWMU 35-016(o), Drains & Outfalls (Rec.) |

Each of these 10 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 10 sites.

The report was approved in your 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 this approval letter, NMED noted the potential for these sites to adversely impact surface water quality, and 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. The individual permit contains requirements for installing and maintaining baseline control measures to minimize stormwater pollutant discharges, monitoring stormwater discharges, and implementing corrective actions as directed by monitoring results. The requirements of the individual permit are directed toward preventing adverse impacts to receiving surface waters resulting from stormwater discharges. All 37 SWMUs and AOCs included in this request for certificates of completion are included in the individual permit and are subject to its requirements. Thus, the demonstration requested in NMED's April 2008 letter that surface water is not impacted by these sites is met by the

inclusion of these sites under the individual permit. No additional controls related to stormwater discharges are necessary as conditions of certificates of completion issued under the Consent Order.

If you have any questions, please contact Todd Haagenstad at (505) 665-2936 (hth@lanl.gov) or Cheryl Rodriguez at (505) 665-5330 (crodriguez2@doeal.gov).

Sincerely,



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

Sincerely,



George J. Rael, Manager
Environmental Projects Office
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MG/GR/TH/LN

Cy: Laurie King, EPA Region 6, Dallas, TX
Steve Yanicak, NMED-DOE-OB, MS M894
Tom Skibitski, NMED-OB, Santa Fe, NM (date-stamped letter emailed)
Cheryl Rodriguez, DOE-LASO, MS A316 (date-stamped letter emailed)
Annette Russell, DOE-LASO (date-stamped letter emailed)
Todd Haagenstad, EP-CAP, MS M992 (date-stamped letter emailed)
Dave McInroy, EP-CAP, MS M992 (date-stamped letter emailed)
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