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NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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Secretary

BUTCH TONGATE
Deputy Secretary

JAMES H. DAVIS, Ph.D.
Director
Resource Protection Division

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

EP2012-5269

October 12, 2012

Pete Maggiore
Assistant Manager
Environmental Projects Office
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Jeffrey D. Mousseau
Associate Director
Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS M991
Los Alamos, NM 87545

**RE: CONCURRENCE WITH LAND TRANSFER OF TRACT A-8b
LOS ALAMOS NATIONAL LABORATORY
EPA ID #NM0890010515**

Dear Messrs. Maggiore and Mousseau:

The New Mexico Environment Department (NMED) is in receipt of the U. S. Department of Energy (DOE), National Nuclear Security Administration, Los Alamos Site Office's (LASO) written notice of intent (dated September 6, 2012) to convey Land Conveyance and Transfer (LC&T) Tract A-8b to the Los Alamos Public Schools (LAPS). After the land is conveyed to LAPS, LAPS plans to transfer the land to Los Alamos County (LAC). According to the information provided by LASO, there are no solid waste management units (SWMUs) or areas of concern (AOCs) located on the Tract A-8b. However, the property may have been impacted by SWMU 21-021-99, which is an area of surface contamination that resulted from systematic site-wide airborne releases of radionuclides from historical stack emissions at Technical Area 21. Tract A-8b which is approximately 3 acres in size, lies west of Material Disposal Area (MDA) B, a historic disposal site.

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Messrs. Maggiore and Mousseau
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In 2006, LASO divided Tract A-8 into two separate tracts, A-8a and A-8b to allow the transfer of Tract A-8a to the LAPS. The transfer of Tract A-8b was deferred until waste removal at adjacent MDA B was complete.

The investigations conducted at SWMU 21-021-99 were documented in the *Completion Report for VCA at SWMUs 0-030(a), 0-030(b)-00, and AOCs 0-029(a,b,c), 0-010(a,b), 0-033(a) and for the IA at SWMU 21-021-99*, dated September 2003 (referenced by LA-UR-03-4326/ER2003-0445). The Report concluded that there was no unacceptable risk from residual contamination at the site to human health under a residential land use scenario. The remediation activities at MDA B were conducted in 2011 and the confirmatory sampling data suggest that contamination from historic disposal activities was not released to the adjacent Tract A8-b.

In accordance with Section III.Y.1.a of the Consent Order, representatives of NMED, LASO, LAPS, and LAC held a phone conference on September 25, 2012 to discuss the transferee's intended use of the property. LAC intends to use the land for commercial and possibly residential development. NMED has determined that the corrective measures implemented at SWMU 21-021-99 are protective of human health and the environment in light of the transferee's anticipated land use. Based on NMED's review of its administrative record, there is no known unacceptable risk to human health or the environment from documented contamination at the site.

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

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: N. Dhawan, NMED HWB
D. Cobrain, NMED HWB
S. Yanicak, NMED DOE OB, MS M894
L. King, EPA 6PD-N
V. Loucks, DOE LASO, MS A316

file: Reading and LANL 2012 (Land Transfer, Tract A-8b)

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10-16-12 P01:02 RCVD



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