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Date: FEB 25 2010
Refer To: EP2010-0099

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

Subject: Request for Extension To Remove Polychlorinated Biphenyl-Contaminated Soils from LA-SMA-2 Due to Force Majeure

Dear Mr. Bearzi:

The purpose of this letter is to update the New Mexico Environment Department (NMED) on the status of remediation activities at Los Alamos Canyon Site Monitoring Area 2 (LA-SMA-2) and request an extension for removing the remaining polychlorinated biphenyl- (PCB-) contaminated soil from the upper drainage of LA-SMA-2 because of force majeure conditions.

In a letter dated December 23, 2009, the NMED gave Los Alamos National Laboratory (the Laboratory) until March 1, 2010, to remove the newly discovered contaminated soils along the banks of the upper drainage. However, significant snowfall during the months of January and February has hampered efforts to remove the soils. These delays are caused both by the unsafe working conditions resulting from the snow- and ice-covered slopes as well as the technical difficulties of removing the soils, which currently have a very high moisture content. The total delay from the weather is approximately 1 month. As discussed in earlier conversations with David Cobrain (NMED), Upper Los Alamos Canyon is in core spotted owl habitat, and work in this area must be stopped from March 1 to May 15 every year to comply with federal threatened and endangered (T&E) species regulations.

As a result of the delays discussed above and federal T&E requirements, the Laboratory proposes that final removal activities take place following completion of the T&E surveys and anticipates the removal will be completed before the monsoons. In accordance with the NMED letter dated May 5, 2009, the Laboratory will submit a report presenting the results of the current removal and stabilization activities by May 1, 2010. An addendum to this report will be submitted as soon as the final soil removal is complete, and confirmation sampling results have been received.

Based on the volumes of sediment and rock removed from the drainage to date, the Laboratory estimates more than 40 kg of PCBs have been successfully removed. The remaining PCB inventory in the bank soils is anticipated to be 10% or less of the overall PCB inventory. The significant inventory reduction, coupled with the detention ponds that have been constructed at the base of the

drainage, will ensure that PCB contamination does not leave the site while work is suspended because of the above-mentioned requirements. Although it is not expected based on previous years' survey results, if a nesting pair of spotted owls were to be found, additional delays are expected. However, please be assured that all erosion-control measures will continue to be inspected and maintained during this time period.

Thank you for your consideration of this request. If you have any questions or wish to visit the site again, please contact Becky Coel-Roback at (505) 665-5011 (becky_cr@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,

David R. Gregory, Project Director
Environmental Operations
Los Alamos Site Office

MG/DG/DM/BCR:sm

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