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NMED
Hazardous Waste Bureau

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Date: AUG 29 2014
Refer To: EP2014-0433

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 for Postponement to Submit the Response to the Notice of Disapproval to the Phase II Work Plan for S-Site and Revision 1 to the Plan

Dear Mr. Kieling:

This letter requests the postponement of the September 15, 2014, date to submit the response to the notice of disapproval to the Phase II Work Plan for S-Site and Revision 1 to the plan. The U.S. Department of Energy and Los Alamos National Security, LLC (DOE/LANS) are preparing a supplemental investigation report (SIR) for the S-Site Aggregate Area. Although this document 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 April 30, 2015.

In January 2012, NMED and DOE/LANS entered into a *Framework Agreement: Realignment of Environmental Priorities* (Framework Agreement) at the Los Alamos National Laboratory. Under the Framework Agreement, NMED and DOE agreed 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 was 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.

S-Site 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 September 15, 2014, date be postponed until the SIR for S-Site Aggregate Area is submitted and a revised date for a Phase II work plan is proposed.

If you have any questions, please contact John McCann at (505) 665-1091 (jmccann@lanl.gov) or Woody Woodworth at (505) 665-5820 (lance.woodworth@nnsa.doe.gov).

Sincerely,

Jeff Mousseau, Associate Director
Environmental Programs
Los Alamos National Laboratory

Sincerely,

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

JM/PM/DM/JM:sm

Cy: Laurie King, EPA Region 6, Dallas, TX (date-stamped letter emailed)
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Jeff Mousseau, ADEP (date-stamped letter emailed)
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