NEW MEXICO ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us

BILL RICHARDSON
Governor

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Lieutenant Governor

RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 4, 2009

David Gregory
Federal Project Director
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

David McInroy
Remediation Services Deputy Project Director
Los Alamos National Laboratory
P.O. Box 1663, MS M992
Los Alamos, NM 87545

RE: APPROVAL
INVESTIGATION WORK PLAN FOR LOWER MORTANDAD/CANADA DEL BUEY AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY (LANL),
EPA ID #NM0890010515

Dear Messrs. Gregory and McInroy:

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) letter regarding *Request to Confirm Non-Submittal of the Investigation Work Plan for Lower Mortandad/Cañada del Buey Aggregate Area,* dated February 27, 2009 and referenced by EP2009-0109.

NMED concurs that a work plan to investigate the aggregate area is not required because there are no solid waste management units (SWMUs) or Areas of Concern (AOCs) physically located within the Lower Mortandad/Cañada del Buey Aggregate Area as shown on the *Aggregate Area List: Maps of Technical Areas, Solid Waste Management Units/Areas of Concern.*

Please contact Kathryn Roberts at (505) 476-6041 should you have any questions.

Sincerely,

James P. Bearzi
Chief
Hazardous Waste Bureau

cc:

D. Cobrain, NMED HWB
K. Roberts, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
L. King, EPA 6PD-N
G. Rael, DOE LASO, MS A316
M. Graham. LANL, ADEP M991
file: Reading and LANL '09, TA-3