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RON CURRY
SECRETARY

CINDY PADILLA
DEPUTY SECRETARY

January 31, 2007

**RE: FINAL DECISION AND RESPONSE TO PUBLIC COMMENT ON THE
INVESTIGATION/REMEDICATION WORK PLAN FOR MATERIAL DISPOSAL AREA B,
SOLID WASTE MANAGEMENT UNIT 21-015, AT TECHNICAL AREA 21, REVISION 1, LOS
ALAMOS NATIONAL LABORATORY**

Dear Interested Person:

Today, the New Mexico Environment Department (Department) approved, with certain modifications, the *Investigation/Remediation Work Plan for Material Disposal Area B, Solid Waste Management Unit 21-015, at Technical Area 21, Revision 1* (IRWP) at Los Alamos National Laboratory (LANL). The description, history, and details of the proposed work for MDA B can be found in the fact sheet on the Department's web page at www.nmenv.state.nm.us/hwb/lanlperm.html.

The Department issued a public notice with its intent to approve the IRWP on November 27, 2006, initiating a public comment period that ended on January 26, 2007. Based on the administrative record for this matter and the comments received during the public comment period, the Department has approved the IRWP with the following modifications: (1) the Permittees evaluate the risk of disposal of low level radioactive waste (LLRW) at MDA G compared to the risk of transporting such waste to an off-site disposal facility; (2) the Permittees must submit a reference that is not currently part of the Administrative Record; (3) the Permittees must clarify the sources of the data presented in Appendix B, Section B-4.3.1 of the IRWP in the SAP which will summarize the results of the first phase of investigation/remediation activities; (4) the Permittees must monitor specifically for beryllium in addition to airborne radioactive particles and airborne particulates; (5) the Permittees must collect one sample per every 50 cubic yards of lay-back/overburden material for laboratory analysis; (6) the Permittees must submit samples of lay-back/overburden material for alpha spectroscopy analysis; (7) overburden/lay-back materials returned to the excavation as fill must be placed in the deeper portions of the excavation; and (8) the Permittees must notify the Department if the use of drilling fluids other than air becomes necessary for the advancement of drilling at MDA B. The Department's specific modifications are found in the Department's approval letter and can be viewed on the Department's webpage (see below).

The Department is issuing its responses to public comment at the same time as the final decision. The Department's responses to public comment are available to the public on the Department's web page at www.nmenv.state.nm.us/hwb/lanlperm.html under "MDA B Investigation/Remediation Work Plan (SWMU 21-015)".

Sincerely,

A handwritten signature in black ink, appearing to read "James Bearzi".

James Bearzi
Chief
Hazardous Waste Bureau