



DEPARTMENT OF ENERGY
Environmental Management Los Alamos Field Office (EM-LA)
Los Alamos, New Mexico 87544

EMID-700650

EMLA-2020-1001-00-001

October 28, 2019

John E. Kieling
Chief
Hazardous Waste Bureau,
New Mexico Environment Department (NMED)
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM, 87505-6313

Subject: Response to NMED's Letter Dated August 21, 2019; Approval extension Request for Submittal of Two Drilling Work Plans for Monitoring Well R-35c and R-73

References:

1. NMED Letter to Doug Hintze, Subject: *Results from Regional Groundwater Monitoring Well R-70*, dated: July 12, 2019
2. EM-LA Letter to John Kieling, Subject: *Extension Request for Submittal of Two Drilling Work Plans for Monitoring Wells R-35(c) and R-73*, dated: August 7, 2019
3. NMED Letter to Doug Hintze, Subject: *Approval Extension request for Submittal of Two drilling Work Plans for Monitoring Well R-35c and R-73*, dated: August 21, 2019

Dear Mr. Kieling:

The purpose of this letter is to formally respond to Reference 1. The Designated Agency Manager's (DAMs) met on September 4 and 17, 2019 to seek resolution of matters included in References 1, 2 and 3. They successfully reached a resolution outlining the process and activities agreed by the parties. The attached DAMs meeting minutes is herein being provided as the official record of resolution.

If you have any questions, please contact Arturo Duran at (505) 257-7907, or Arturo.Duran@em.doe.gov.

Sincerely,

Douglas E. Hintze
Manager
Environmental Management
Los Alamos Field Office

Enclosure:

1. Designated Agency Manager's Meeting Minutes from September 4 and 17, 2019; dated September 25, 2019

CC:

N. Dhawan, NMED

S. Stringer, NMED

G. Morgan, N3B

E. Evered, N3B

E. Lowes, N3B

B. Robinson, N3B

E. Day, N3B

D. Katzman, N3B

S. Hoffman, EM-LA

D. Nickless, EM-LA

B. Underwood, EM-LA

A. Duran, EM-LA

C. Rodriguez, EM-LA

T. McCrory, EM-LA

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DEPARTMENT OF ENERGY
Environmental Management Los Alamos Field Office (EM-LA)
Los Alamos, New Mexico 87544

EM-LA-30AD-00519

Subject: Designated Agency Managers' Meeting Minutes from September 4 and 17, 2019

- References:**
1. NMED Letter to Doug Hintze, Re: Results from Regional Groundwater Monitoring Well R-70, Dated: July 12, 2019
 2. EM-LA Letter to John Kieling, Subject: Extension Request for Submittal of Two Drilling Work Plans for Monitoring Wells R-35(c) and R-73, Dated: August 7, 2019
 3. NMED Letter Doug Hintze, Re: Approval Extension request for Submittal of Two Drilling Work Plans for Monitoring Wells R-35c and R-73, Dated: August 21, 2019

In accordance with the 2016 Compliance Order Consent (Consent Order), Section XXII (D). *Designated Agency Managers*, the Designated Agency Managers (DAMs) met on September 4 and 17, 2019 to seek a resolution to the matters included in references 1, 2, and 3 above.


Fundamentally, DOE and NMED (the Parties) are committed to protecting human health and the environment, and agree to cooperate and coordinate necessary actions to effectively address the challenges of current Chromium plume in the regional groundwater aquifer. The Parties further agree that decisions between the parties must be based on scientific viable data and information. Based upon these mutual interests and as a result of the good faith discussions between the DAMs, the Parties have agreed to the following path forward in lieu of the direction NMED provided in the letter dated July 12, 2019 (Reference 1):

"In order to expeditiously and effectively address current concerns by the parties in References 1, 2, and 3 above; the Parties agree that DOE will submit an assessment Work Plan for NMED's review and approval by December 17, 2019. The Work Plan will include the following components: 1) specific activities to be conducted by DOE to further evaluate the conditions of the regional groundwater and to perform an assessment within nine months; 2) a drilling work plan for regional well R-35(c); 3) a proposed evaluation for consideration of drilling regional well R-73; and 4) an implementation schedule.

The Parties also agree to meet and confer to reconsider the drilling of regional monitoring well R-35(c) based on information and evaluation included in an assessment report to be prepared and submitted to NMED by June 17, 2020. The Parties are committed to facilitate the implementation of necessary actions as expeditiously as possible to ensure protection to human health and the environment."

In our capacity as DAMs, we agree to the above terms as a means to resolve the issues raised in NMED letter dated July 12, 2019 und to avoid elevating this matter to dispute resolution pursuant to Consent Order Section XXV.

 9/25/2019
Date
John E. Kieling
NMED Designated Agency Manager

 9/25/19
Date
Arturo Duran
EM-LA Designated Agency Manager

cc:

N. Dhawan, NMED
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D. Hintze, EM-LA
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