



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

EMLA-2020-1531-02-001

August 5, 2020

Mr. Kevin Pierard  
Bureau Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6313

Subject: Request for Certificate of Completion without Controls for Solid Waste Management Unit 01-003(e)

Dear Mr. Pierard:

The U.S. Department of Energy (DOE) requests that the New Mexico Environment Department (NMED) issue a certificate of completion (COC) without controls for Solid Waste Management Unit (SWMU) 01-003(e). NMED previously issued a COC with controls for this SWMU on September 10, 2010 (“Certificates of Completion, Upper Los Alamos Canyon Aggregate Area, Los Alamos National Laboratory,” HWB-LANL-I0-056).

As detailed in the Compliance Order on Consent (Consent Order) investigation report entitled “Investigation Report for the Upper Los Alamos Canyon Aggregate Area, Revision 1” (LA-UR-10-0422, February 2010), the nature and extent of contamination associated with SWMU 01-003(e) have been determined. The report also states that the site does not pose potential unacceptable risks or doses to human health under the residential scenario, and that the site poses no risk to ecological receptors.

DOE had requested a COC without controls in 2010. The NMED COC approval letter required DOE to place a control on the site by monitoring storm water discharge for potential transport of residual contamination. NMED noted that monitoring of the site was already being accomplished under the National Pollutant Discharge Elimination System (NPDES) “Storm Water” Permit.

However, as specified in Section VII.H of the 2016 Consent Order, “This Consent Order shall establish no requirements for releases of Contaminants from SWMUs or AOCs to storm water runoff that: 1) Are permitted under DOE’s National Pollutant Discharge Elimination System (NPDES) Individual Permit for storm water discharges from SWMUs and AOCs (Individual Permit) (NM0030759 or as reissued)...”

Because SWMU 01-003(e) is included in Appendix A of the NPDES Individual Permit, DOE requests that NMED issue a COC without controls for this site.

If you have any questions, please contact Emily Day at (505) 695-4243 (emily.day@em-la.doe.gov) or Cheryl Rodriguez at (505) 414-0450 (cheryl.rodriguez@em.doe.gov).

Sincerely,

**Arturo Duran**  
Digitally signed by Arturo Duran  
Date: 2020.08.04 08:39:04 -06'00'

Arturo Q. Duran  
Compliance and Permitting Manager  
Environmental Management  
Los Alamos Field Office

CC (letter emailed):

Laurie King, EPA Region 6, Dallas, TX  
Raymond Martinez, San Ildefonso Pueblo, NM  
Dino Chavarria, Santa Clara Pueblo, NM  
Chris Catechis, NMED-DOE-OB  
Steve Yanicak, NMED-DOE-OB  
William Alexander, N3B  
Emily Day, N3B  
Michael Erickson, N3B  
Jeff Holland, N3B  
Kim Lebak, N3B  
Joseph Legare, N3B  
Dana Lindsay, N3B  
Frazer Lockhart, N3B  
Pamela Maestas, N3B  
Glenn Morgan, N3B  
Joseph Murdock, N3B  
M. Lee Bishop, EM-LA  
Stephen Hoffman, EM-LA  
Kirk D. Lachman, EM-LA  
David Nickless, EM-LA  
Cheryl Rodriguez, EM-LA  
Hai Shen, EM-LA  
Ben Underwood, EM-LA  
emla.docs@em.doe.gov  
n3brecords@em-la.doe.gov  
Public Reading Room (EPRR)  
PRS website

**Pamela T. Maestas**

---

**From:** Martinez, Cynthia, NMENV <cynthia.martinez1@state.nm.us>  
**Sent:** Tuesday, August 11, 2020 1:37 PM  
**To:** Pamela T. Maestas  
**Subject:** RE: Submittal to NMED on 8/5/2020 of Rqst for COC w/out Controls for SWMU 01-003(e)

Hello,  
I was out for a few days, but I did receive it.  
Thank you.

---

**From:** Pamela T. Maestas <pamela.maestas@em-la.doe.gov>  
**Sent:** Thursday, August 6, 2020 5:16 PM  
**To:** Martinez, Cynthia, NMENV <cynthia.martinez1@state.nm.us>  
**Subject:** [EXT] FW: Submittal to NMED on 8/5/2020 of Rqst for COC w/out Controls for SWMU 01-003(e)

Hi Cynthia,  
Can you please acknowledge receipt of the submittal indicated below?  
Thank you.

---

**From:** Pamela T. Maestas <[pamela.maestas@em-la.doe.gov](mailto:pamela.maestas@em-la.doe.gov)>  
**Sent:** Wednesday, August 5, 2020 3:03 PM  
**To:** Pierard, Kevin, NMENV <[Kevin.Pierard@state.nm.us](mailto:Kevin.Pierard@state.nm.us)>  
**Cc:** Dhawan, Neelam, NMENV <[neelam.dhawan@state.nm.us](mailto:neelam.dhawan@state.nm.us)>; Emily M. Day <[Emily.Day@em-la.doe.gov](mailto:Emily.Day@em-la.doe.gov)>; Regulatory Documentation <[RegDocs@EM-LA.DOE.GOV](mailto:RegDocs@EM-LA.DOE.GOV)>; Martinez, Cynthia, NMENV <[cynthia.martinez1@state.nm.us](mailto:cynthia.martinez1@state.nm.us)>; [cheryl.rodriguez@em.doe.gov](mailto:cheryl.rodriguez@em.doe.gov); Jennifer Von Rohr <[Jennifer.VonRohr@EM-LA.DOE.GOV](mailto:Jennifer.VonRohr@EM-LA.DOE.GOV)>  
**Subject:** Submittal to NMED on 8/5/2020 of Rqst for COC w/out Controls for SWMU 01-003(e)

Mr. Pierard,  
Attached for submittal is a pdf of the following:

- Request for Certificate of Completion without Controls for Solid Waste Management Unit 01-003(e)

Please acknowledge receipt of this submittal by responding to this email.  
Let me know if you have any questions.  
Thank you.

**Pamela T. Maestas**  
**Regulatory Documentation Manager**  
Newport News Nuclear BWXT-Los Alamos, LLC  
c. 505-927-7882  
[regdocs@em-la.doe.gov](mailto:regdocs@em-la.doe.gov)

