



October 27, 2021

Arturo Duran, Designated Agency Manager  
U.S. Department of Energy  
Environmental Management  
Los Alamos Field Office  
1200 Trinity Drive, Suite 400  
Los Alamos, NM 87544

**RE: APPROVAL  
REQUEST FOR CERTIFICATE OF COMPLETION WITHOUT CONTROLS  
FOR SOLID WASTE MANAGEMENT UNIT 01-003(E)  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID#NM0890010515  
HWB-LANL-20-047**

Dear Arturo Duran:

The New Mexico Environment Department (NMED) has received the United States Department of Energy's (DOE) (the Permittee) *Request for Certificate of Completion without Controls for Solid Waste Management Unit 01-003(e)* dated and received August 5, 2020 and referenced by EMLA-2020-1531-02-001.

Solid Waste Management Unit (SWMU) 01-003(e) was investigated and the results were included in *Investigation Report for Upper Los Alamos Canyon Aggregate Area, Revision 1* (IR) that was submitted on February 2, 2010 (EP2010-0020) and the IR was approved by NMED on April 2, 2010. Following the approval of the IR, the Permittee submitted *Request for Certificates of Completion for 16 SWMUs and 9 AOCs in the Upper Los Alamos Canyon Aggregate Area* on June 15, 2010.

**SWMU 01-003 (e)** was a surface disposal area located along the northern wall of Los Alamos Canyon. Concrete construction debris, piping, and other miscellaneous objects were observed at the site in the past. A major portion of this site is under fill material brought in by the private owner to extend the canyon rim farther south. Investigations were conducted in 1992 and 2008-2009 to define the nature and extent of contamination.

NMED issued a Certificate of Completion (COC) with controls for SWMU 01-003(e) on September 10, 2010. The controls were to monitor stormwater discharge, accomplished under

the National Pollutant Discharge Elimination System (NPDES) Permit. SWMU 01-003(e) is listed in Appendix A of the DOE's 2010 NPDES Individual Permit. The COC with controls was issued under the 2005 Compliance Order on Consent (Consent Order), that was superseded by the Consent Order issued in June 2016.

Section VII. H of the 2016 Consent Order states that "this Consent Order shall establish no requirements for release of contaminants from SWMUs or AOCs to stormwater runoff that : 1) are permitted under DOE's National Pollutant Discharge Elimination System (NPDES) Individual Permit for stormwater discharges from SWMUs and AOCs (individual Permit) (NM0030759 or as reissued...". The IR demonstrated that SWMU 01-003(e) does not pose an unacceptable risk to human health or the environment.

NMED notes that the Permittee did not evaluate the construction worker risk assessment scenario for SWMU 01-003(e). Using the information provided in the IR, NMED calculated the construction worker total excess cancer risk is approximated to be  $2.18E-07$ , which is less than the NMED target of  $1.0E-5$ ; and the hazard index (HI) is approximately  $8.11E-02$ , which is less than the NMED target of 1.0.

The results presented in the IR indicated that SWMU 01-003(e) does not pose an unacceptable risk to human health under the residential, industrial, and recreational land use, scenarios. NMED made a determination that SWMU 01-003(e) does not pose an unacceptable risk under the construction worker scenario. The results of ecological risk screening indicate that the site does not pose an unacceptable risk to the environment.

NMED hereby issues this certificate of completion without controls for **SWMU 01-003(e)**. Although corrective action is complete under the Consent Order, the DOE must continue to comply with all other applicable state and federal regulations.

If new information becomes available that indicates that the site may pose an unacceptable risk to human health or the environment, NMED may require the additional investigations and/or corrective action at this site. If you have any questions regarding this letter, please contact Siona Briley at (505) 690-5160.

Sincerely,

**Ricardo Maestas**

Digitally signed by Ricardo Maestas  
Date: 2021.10.27 11:32:57 -06'00'

Ricardo Maestas  
Acting Chief  
Hazardous Waste Bureau

Arturo Duran

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cc:

N. Dhawan, NMED HWB

S. Briley, NMED HWB

L. King, US EPA Region 6

C. Rodriguez, DOE-EM-LA

K. Rich, N3B

E. Day, N3B

P. Maestas, N3B

W. Alexander, N3B

[emla.docs@em.doe.gov](mailto:emla.docs@em.doe.gov)

[RegDocs@EM-LA.DOE.GOV](mailto:RegDocs@EM-LA.DOE.GOV)

File: 2021 LANL, Upper Los Alamos Canyon Aggregate Area- Certificate of Completion w/out  
Controls for SWMU 01-003(e)

LANL-20-047