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Governor

JOHN A. SANCHEZ
Lieutenant Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

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DAVE MARTIN
Cabinet Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 13, 2011

Patty Wagner
Manager
U.S. Department of Energy
NNSA / Sandia Site Office
P.O. Box 5400, MS 0184
Albuquerque, NM 87185-5400

Jill M. Hruby
Vice President
Energy, Non-Proliferation, and High-Consequence Security
Sandia National Laboratories
P.O. Box 5800, MS 0701
Albuquerque, NM 87185-0701

**RE: NOTICE OF APPROVAL
MIXED WASTE LANDFILL TOLUENE INVESTIGATION REPORT, REVISED
OCTOBER 2010
SANDIA NATIONAL LABORATORIES, EPA ID# NM5890110518
HWB-SNL-10-011**

Dear Mmes. Wagner and Hruby:

The New Mexico Environment Department (NMED) has reviewed the Mixed Waste Landfill Toluene Investigation Report (revised) dated October 2010. The revised report was submitted by the U. S. Department of Energy (DOE) on behalf of itself and Sandia Corporation (collectively, the Permittees) in response to the Notice of Disapproval issued by the NMED on September 28, 2010, for the original version of the report dated August 2010. The subject report, as revised in October 2010, is hereby approved.

NMED is confident that the Mixed Waste Landfill (MWL) is likely not the source of the low levels of toluene detected in groundwater samples from the new monitoring wells installed in 2008. The likely source or sources are laboratory contamination or error, sampling equipment, drilling equipment, or a combination of these potential sources. The best management practices proposed in the report to promote awareness of quality control issues should reduce occurrences of false positive data.

In accordance with Section VI.A, *Investigation Work Plan*, of the Sandia National Laboratories Compliance Order on Consent (April 29, 2004), if the NMED determines that further investigation is needed based on new information or if subsequent analysis indicates a release or likelihood of a release from the MWL, the NMED will notify the Permittees in writing that additional investigation is required. If so notified by the NMED, the Permittees shall submit to the NMED for approval an investigation work plan prepared in accordance with Section X.B of the Consent Order by the date specified by the NMED.

Should you have any questions regarding this letter please contact William Moats of my staff at (505) 222-9551.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB
W. Moats, NMED HWB
T. Skibitski, NMED DOE-OB
L. King, EPA-6
J. Cochran, SNL, MS 0719
J. Gould, SNL, MS 0184
File: SNL 2011 and Reading
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