



Department of Energy
Office of Legacy Management

FEB 22 2005

Ms. Madeline Roanhorse
Navajo UMTRA Program
Division of Natural Resources
P.O. Box 1875
Window Rock, AZ 86515

Subject: Monument Valley, Arizona, Access Notification for Phytoremediation Pilot Studies

Dear Ms. Roanhorse:

In accordance with the Cooperative Agreement between the Navajo Nation, the Bureau of Indian Affairs (BIA), and the U.S. Department of Energy (DOE), this notification package is being submitted by DOE, Office of Legacy Management (LM), located in Grand Junction, Colorado, for field activities that will be conducted at the Monument Valley site this year (2005). As provided in the above, mentioned agreement, DOE requires access to Navajo Tribal Trust Lands at the LM Monument Valley site to conduct a phytoremediation pilot test. The pilot test is being conducted to evaluate alternatives for remediation of ground water at the site. In addition to the pilot test, DOE also plans to expand the planted area of the subpile soils phytoremediation that has been ongoing for the past 3 years. Although DOE only has plans to conduct these activities at the site this year, the enclosed documents are inclusive of possible activities that may be conducted at the site in future years and are being provided in response to past requests from the Navajo Nation. Details of the specific pilot test activities for this year are included in the *Monument Valley Ground Water Remediation Pilot Study Work Plan*, included with this submittal.

Along with the work plan, this notification package also includes the following documents:

- Threatened and Endangered Species Clearance
- Archeological Report
- Certified Appraisal
- Narrative Legal Description with Signed Engineer's Affidavit and Map
- Draft Environmental Assessment (Final EA will be substituted when it becomes available)

In 1998, DOE entered into Cooperative Agreement No. DE-FC13-98GJ9477 with the Navajo Nation and the BIA to conduct ground water characterization and remediation on Navajo lands. Article XX, Right of Entry and Access of this agreement states that "...the Navajo Nation and at no cost to the DOE:

- A.) Hereby grant to the DOE...right of entry in, across and over the mill site, vicinity sites and any land as mutually identified by the DOE Project Officer and the Navajo Nation Project Director to, but not limited to: ...perform remedial actions under this Agreement and,

19901 Germantown Road, Germantown, MD 20874

2597 B 3/4 Road, Grand Junction, CO 81503

3610 Collins Ferry Road, P.O. Box 880, Morgantown, WV 26507

626 Cochran's Mill Road, P.O. Box 10940, Pittsburgh, PA 15236

1000 Independence Ave., S.W., Washington, DC 20585

REPLY TO: Grand Junction Office

- B) Hereby grant to the DOE...the right to restrict access to, and post appropriate warning signs on such parts of the mill site, vicinity sites or other lands as may be necessary to facilitate remedial action...including but not limited to the right to erect fences or other barriers to access..."

DOE's access to the Monument Valley site is necessary to achieve the DOE and Navajo Nation's goal of implementing a ground water compliance strategy that is protective of human health and the environment. DOE believes that there is substantial benefit to the Navajo Nation and the community of Monument Valley by remediating the contaminated ground water to meet the EPA standards.

DOE is planning to begin fieldwork at Monument Valley beginning the first week of June 2005. However, because of the nature of the type of work planned at Monument Valley, preparations for fieldwork will require that several tasks be coordinated with the University of Arizona prior to the start of fieldwork. To ensure that these tasks begin as planned, the DOE will need to have any issues related to site access identified and rectified prior to May 15, 2005. If this cannot be achieved, DOE plans to use the funding at other LM sites.

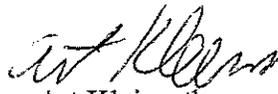
To this end, DOE will provide support to the Navajo Nation in obtaining permission for crossing existing rights-of-way, consent from grazing permittees, well and water use permits, and any other requirements that may be necessary prior to the start of field work.

If any issues arise within the Navajo Nation that would delay DOE's access to the site beyond June 1, 2005, please let me know as soon as they arise.

Also enclosed are seven additional copies of the package for distribution to Navajo Nation agencies and a notification letter and attachments for Ms. Mary Lujan with the BIA and Mr. Howard Draper with Navajo Project Review. Please forward the letter and enclosures to Ms. Lujan at your earliest convenience. Grand Junction project personnel are available and would like to meet with Navajo Nation agencies as soon as possible to ensure that the scope of the planned activities are understood.

Should you have any questions or concerns, please contact me at (970) 248-6037 or Mr. Dave Miller in my absence at (970) 248-6652.

Sincerely,


Art Kleinrath
Site Manager

Enclosures

cc w/enclosure:

File: MON 015.10 (Thru D. Roberts)

cc w/o enclosures:

C. Montana, LM-30

D. Miller, Stoller

P. Robinson, Stoller

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