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GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

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General



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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 19, 2005

David Gregory, Federal Project Director
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

G. Pete Nanos, Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, NM 87545

RE: RESPONSES TO NMED APPROVALS WITH MODIFICATIONS
LOS ALAMOS NATIONAL LABORATORY (LANL), NM0890010515

Dear Messrs. Gregory and Nanos:

The New Mexico Environment Department (NMED) has received responses from the United States Department of Energy (DOE) and the Regents of the University of California (collectively, the Permittees) to NMED's Approval with Modifications to several work plans at Los Alamos National Laboratory (LANL). NMED reminds the Permittees that an "Approval with Modifications" does not require a response. In fact, the Permittees should not respond to comments provided in an Approval with Modifications unless NMED specifically requires a response and/or resubmittal (e.g. revised text and/or pages, additional information) in the approval letter. Should the Permittees contest NMED modifications, they can invoke Dispute Resolution under Section III.I of the March 1, 2005 Consent Order (Order). The Permittees are further reminded that noncompliance with modifications outlined in an approval letter may result in automatic rescission of the subject approval, and could potentially subject the Permittees to an enforcement action.



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Messrs. Gregory and Nanos

July 19, 2005

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Should you have any questions, please feel free to contact me at (505) 428-2512.

Sincerely,



James P. Bearzi

Chief

Hazardous Waste Bureau

JPB:kc

cc: K. Chamberlain, NMED HWB
D. Goering, NMED HWB
J. Volkerding, NMED DOE OB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
J. Ordaz, DOE LASO, MS A316
K. Hargis, LANL RRES/DO, MS M591
N. Quintana, LANL RRES-RS, MS M992
D. McInroy, LANL RRES-RS, MS M992
file: Reading and LANL General '05