



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

General
NEW MEXICO
ENVIRONMENT DEPARTMENT

ENTERED



Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us

RYAN FLYNN
Secretary-Designate

BUTCH TONGATE
Deputy Secretary

TOM BLAINE, P.E.
Director
Environmental Health Division

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 26, 2013

Pete Maggiore
Assistant Manager
Environmental Projects Office
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Jeffrey D. Mousseau
Associate Director
Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS M991
Los Alamos, NM 87545

**RE: FORCE MAJEURE - STAGE III FIRE RESTRICTIONS
LOS ALAMOS NATIONAL LABORATORY
EPA ID #NM0890010515
HWB-LANL-13-MISC**

Dear Messrs. Maggiore and Mousseau:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security L.L.C.'s (LANS) (collectively, the Permittees) *Notification of Force Majeure – Stage III Fire Restrictions*, dated July 8, 2013 and referenced by EP2013-0136.

The Permittees submitted this notification pursuant to the requirements in Section III.H.3 of the Consent Order. The reason cited for the request was that the Laboratory was under Stage III fire restrictions and could not complete scheduled work on time due to restricted access to certain areas of the Laboratory. NMED was subsequently notified on July 9, 2013, via an email that due to recent significant rainfall, the Stage III fire restrictions were rescinded effective July 8, 2013, the same date as of Force Majeure notification.

35960



Messrs. Maggiore and Mousseau
July 26, 2013
Page 2

NMED assumes that the purpose of Permittees email notification was to withdraw the force majeure request. The fire restrictions were rescinded before any scheduled work was affected. Please contact Neelam Dhawan at (505) 476-6042, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Kieling", with a small "for" written below it.

John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
L. King, EPA 6PD-N

File: 2013 LANL, Withdrawal of Force Majeure Request