

Los Alamos

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Laboratory Counsel  General Law Offices

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Los Alamos, New Mexico 87545
(505) 667-3766, FAX:665-4424



Date: August 20, 1998

Symbol: GL: 10520-9811/9810

Nicholas F. Persampieri, Esq.
Assistant General Counsel
NMED Office of General Counsel
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502

RE: CO 98-03 60 DAY EXTENSION

Dear Nick:

As we agreed on our phone call last Tuesday, August 18, 1998, enclosed are a Motion and Stipulated Order providing for an extension of 60 days for each of the ordered actions contained in Compliance Order HRM-98-03. If these meet with your approval, we would appreciate it if you would file them with the Hearing Officer before close of business on Monday, August 24, 1998.

Thank you for your assistance.

Sheila E. Brown, Esq.
Regents of the University of California

Joyce Hester Laeser, Esq.
United States Department of Energy



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**STATE OF NEW MEXICO
ENVIRONMENT DEPARTMENT**

**IN THE MATTER OF
THE UNITED STATES DEPARTMENT OF ENERGY
AND THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
LOS ALAMOS, NEW MEXICO
NM0890010515**

**COMPLIANCE ORDER
HRM - 98-03 (CO)**

**MOTION FOR STIPULATED ORDER ALLOWING EXTENSION OF
60 CALENDAR DAYS IN SCHEDULE OF COMPLIANCE**

COME NOW Respondents, the United States Department of Energy and the Board of Regents of the University of California, and Complainant, the New Mexico Environment Department, and move the Hearing Officer to approve an extension of 60 calendar days for all deadlines specified in the Schedule of Compliance, Paragraph 85, subparagraph 1, of Compliance Order HRM 98-03 (Order).

As grounds for the extension of 60 days, Respondents and Complainant hereby state that the Complainant currently is reviewing a corrective action plan submitted by Los Alamos County, which addresses the matters that are the subject of Paragraph 85, subparagraph 1, of the Order by the Complainant. That review will not be completed prior to August 31, 1998. Thereafter, an additional meeting will likely be necessary to discuss the "plan of action" referenced in Paragraph 85, subparagraph 1 of the Order. Such meeting likely would not occur until after September 8, 1998.

As a result, Respondents and Complainant have agreed to extend all deadlines specified in the Schedule of Compliance, contained in Paragraph 85, subparagraph 1, of the Order by an additional 60 calendar days, and respectfully move the Hearing Officer to approve such extension.

WHEREFORE, the parties request approval of the attached Stipulated Order by the Hearing Officer.

Respectfully Submitted:

REGENTS OF THE UNIVERSITY OF CALIFORNIA

BY: Sheila E. Brown DATE: 8-20-98
Sheila E. Brown

UNITED STATES DEPARTMENT OF ENERGY

BY: Joyce Hester Laeser DATE: 8-20-98
Joyce Hester Laeser

Approved:

NEW MEXICO ENVIRONMENT DEPARTMENT
OFFICE OF GENERAL COUNSEL

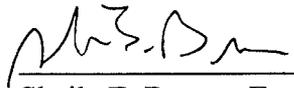
BY: Nicholas F. Persampieri DATE: 8/21/98
Nicholas F. Persampieri

CERTIFICATE OF SERVICE

I hereby certify that a copy of Respondent's **MOTION FOR STIPULATED ORDER ALLOWING EXTENSION OF 60 CALENDAR DAYS IN SCHEDULE OF COMPLIANCE AND STIPULATED ORDER ALLOWING EXTENSION OF 60 DAYS IN SCHEDULE OF COMPLIANCE**, was mailed or delivered by hand to the following person(s) of record on August 20, 1998:

Joyce Hester Laeser
Counsel's Office
Department of Energy
Los Alamos Area Office
528 35th Street
Los Alamos, NM 87544

Nick Persampieri
General Counsel
NMED
1190 St. Francis Drive
Santa Fe, NM 87505



Sheila E. Brown, Esq.

STATE OF NEW MEXICO
ENVIRONMENT DEPARTMENT

IN THE MATTER OF
THE UNITED STATES DEPARTMENT OF ENERGY
AND THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
LOS ALAMOS, NEW MEXICO
NM0890010515

COMPLIANCE ORDER
HRM - 98-03 (CO)

**STIPULATED ORDER ALLOWING EXTENSION OF
60 DAYS IN SCHEDULE OF COMPLIANCE**

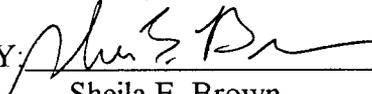
It is hereby stipulated by the parties and ordered by the Hearing Officer that all deadlines specified in the Schedule of Compliance, contained in Paragraph 85, subparagraph 1, of Administrative Compliance Order HRM 98-03 (Order), are hereby extended by an additional 60 calendar days.

Hearing Officer

Submitted and Approved:

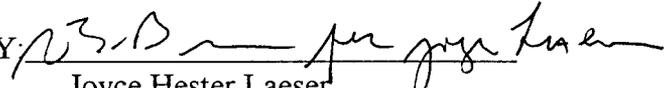
REGENTS OF THE UNIVERSITY OF CALIFORNIA

DATE: 8-20-98

BY: 
Sheila E. Brown

UNITED STATES DEPARTMENT OF ENERGY

DATE: 8-20-98

BY: 
Joyce Hester Laeser

APPROVED:

NEW MEXICO ENVIRONMENT DEPARTMENT
OFFICE OF GENERAL COUNSEL

DATE: 8/21/98

BY: 
Nicholas F. Persampieri