



BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

Permit
NEW MEXICO
ENVIRONMENT DEPARTMENT

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



RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

December 18, 2008

Mr. A. John Ahlquist
1625 Geary Road
Walnut Creek, CA
94597-2519



Dear Mr. Ahlquist:

Environment Department Secretary Curry has forwarded to me your recent letter in which you express concerns about the delayed issuance of the hazardous waste facility permit for Los Alamos National Laboratory (LANL). We share your concerns, and have made improving timeliness in our permitting efforts a top priority of this Administration.

As a former LANL employee, you probably appreciate the breadth and complexity of LANL's activities. Their environmental issues are no less complex, and their permit reflects this. However, our permitting efforts have been hampered by LANL's inability to submit timely and complete application materials. This is crucial to any permitting effort, as the permit application forms the basis for any agency decision on a draft permit. In the case of LANL, the administrative record for the permit (that includes the application) is over 1½ million pages, all of which my staff must scrutinize to actually write the permit. One can imagine the resources required for such an effort – a level of effort that was adequately funded only last year.

Another important reason for the delay in issuing LANL's permit is the work the Department's has done on developing, negotiating, and implementing the historic fence-to-fence cleanup order for the hundreds of old waste sites at LANL. This order was signed by all parties (the New Mexico Environment Department, the U.S. Department of Energy, and University of California) on March 1, 2005, and represents the federal government's commitment to New Mexico to clean up its legacy of pollution at LANL. This represents a Herculean effort, and occupied nearly all our staff who work on LANL issues.

As you know, the draft permit was finally released for public comment last summer. It is available on line here:

[http://www.nmenv.state.nm.us/hwb/lanlperm.html#LANL_Draft_Permit_\(8-27-2007\)](http://www.nmenv.state.nm.us/hwb/lanlperm.html#LANL_Draft_Permit_(8-27-2007)).

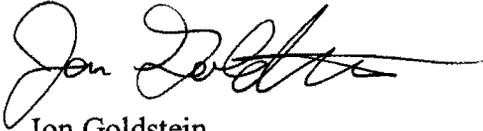


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[http://www.nmenv.state.nm.us/hwb/lanlperm.html#LANL_Draft_Permit_\(8-27-2007\)](http://www.nmenv.state.nm.us/hwb/lanlperm.html#LANL_Draft_Permit_(8-27-2007)).
The comment period ends January 11, 2008, and I encourage you to submit your thoughts to us.

More importantly, I appreciate your concern and the time you took to contact us to express your thoughts. I want to assure you that the Environment Department is dedicated to effectively managing and enforcing environmental requirements at LANL and all federal facilities in New Mexico.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Goldstein", with a long horizontal flourish extending to the right.

Jon Goldstein
Deputy Secretary