



SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lieutenant Governor

*Permit*  
NEW MEXICO  
ENVIRONMENT DEPARTMENT



ENTERED



*Hazardous Waste Bureau*

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DAVE MARTIN  
Secretary

BUTCH TONGATE  
Deputy Secretary

JAMES H. DAVIS, Ph.D.  
Director  
Resource Protection Division

*Hand delivered 10/26/12*  
~~CERTIFIED MAIL - RETURN RECEIPT REQUESTED~~

October 26, 2012

Kevin W. Smith  
Manager  
Los Alamos Site Office  
Department of Energy/NNSA  
3747 West Jemez Road  
Los Alamos, NM 87544

Charles McMillan  
Director  
Los Alamos National Laboratory  
P.O. Box 1663, Mail Stop A100  
Los Alamos, NM 87545

**RE: MODIFICATION TO THE MARCH 1, 2005 ORDER ON CONSENT  
ADDITION OF SECTION III.Z – PUBLIC ENVIRONMENTAL DATABASE  
LOS ALAMOS NATIONAL LABORATORY,  
EPA ID #NM0890010515**

Dear Messrs. McMillan and Smith:

The New Mexico Environment Department (NMED) hereby provides this proposed modification to the March 1, 2005 Order on Consent (Consent Order). According to Section III.J of the Consent Order, the parties (Department of Energy, Los Alamos National Security, L.L.C. (collectively, the "Respondents")), and NMED may modify any of the provisions of the Consent Order, provided any such modifications are in writing and signed by all parties. This modification consists of addition of a section to require the maintenance of a publically accessible environmental database to the Consent Order.

On October 22, 2012, the Respondents submitted a request to modify the Consent Order requirements to add a section (III.Z) requiring the maintenance of a publically accessible database containing the results of the laboratory analyses of samples obtained from environmental media and maps depicting the locations of sampling locations, wells, geographic, topographic and lithologic data and the locations of Facility structures and units addressed in the Consent Order. The database replaces the Risk Analysis, Communication, Evaluation and

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Messrs. McMillan and Smith  
October 26, 2012  
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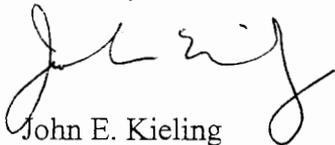
Reduction (RACER), the environmental database required by the Settlement Agreement and Stipulated Final Order (HWB 07-27 (CO)).

NMED has determined that the proposed modification to the Consent Order is equivalent to a class 1 permit modification with prior approval of the Department as specified in 40 CFR 270.42(a)(2). The Respondents must comply with the public notice requirements for a class 1\* permit modification upon issuance of the modified Consent Order.

NMED requests that Mr. Smith sign the enclosed signature page, then forward it to Mr. McMillan. After his signing, please return the signature page to my office by October 29, 2012. This modification will become effective only when signed by all parties, at which time you will be provided a copy of the completed signature page and the finalized Consent Order.

Should you have any questions, please feel free to contact me at (505) 476-6035.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

cc: D. Martin, NMED Cabinet Secretary  
B. Tongate, NMED Deputy Cabinet Secretary  
J. Davis, NMED RPD  
D. Cobrain, NMED HWB  
T. Skibitski, NMED DOE OB  
C. de Saillan, NMED OGC  
S. Yanicak, NMED DOE OB, MS J993  
L. King, EPA 6PD-N  
P. Maggiore, DOE LASO, MS A316  
J. Mousseau, ENV MS M991

file: Reading and LANL General '12

Modification to the March 1, 2005 Compliance Order on Consent consists of the addition of Section III.Z requiring the Respondents to maintain an environmental database accessible to the public. This modification to the March 1, 2005 Order on Consent is hereby AGREED and CONSENTED TO by the Parties, pursuant to Section III.J:



10-26-12

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Dave Martin  
Cabinet Secretary  
New Mexico Environment Department

Date

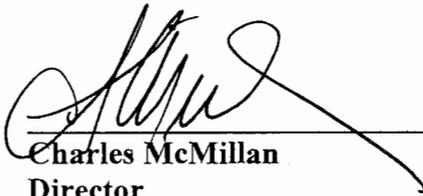


10/25/2012

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Kevin W. Smith  
Manager  
Los Alamos Site Office  
Department of Energy

Date



10/26/12

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Charles McMillan  
Director  
Los Alamos National Laboratory

Date