



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

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



RYAN FLYNN
Cabinet Secretary-Designate

BUTCH TONGATE
Deputy Secretary

TOM BLAINE, P.E.
Director
Environmental Health Division

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 6, 2013

Peter Maggioro
Assistant Manager
U.S. Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Rd, 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: SECOND EXTENSION REQUEST
TO SUBMIT THE RESPONSE TO DIRECTION TO MODIFY THE PHASE II
INVESTIGATION REPORT FOR MIDDLE LOS ALAMOS CANYON
AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890018
HWB-LANL-11-022**

Dear Messrs. Maggioro and Mousseau:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy (DOE) and Los Alamos National Security, L.L.C.'s (collectively, the Permittees) document entitled *Request for Extension to Submit the Response to the Direction to Modify the Phase II Investigation Report for Middle Los Alamos Canyon Aggregate Area*, dated November 13, 2013 and referenced by EP2013-0265.

The Permittees request the extension to submit the response to the direction to modify the Phase II Investigation Report for Middle Los Alamos Canyon Aggregate Area, Revision 1 (Response) due to the need to focus efforts on shipment of aboveground transuranic (TRU) waste from Technical Area (TA) 54 to the Waste Isolation Pilot Plant.




Messrs. Maggiore and Mousseau
December 6, 2013
Page 2

This is the second extension request for the submittal of this Response which would include submission of response to NMED comments and Revision 2 of the Phase II investigation report. The Permittees' first extension request changed the submission date for the Response from November 30, 2011 to November 30, 2013. This second extension changes the submission date from November 30, 2013 to June 30, 2014, as requested. This request has been automatically granted because NMED did not respond in writing within ten business days as specified in Consent Order Section III.J.2.

NMED is concerned over delays that affect the progress of corrective action; however, NMED understands the ongoing issues related to the allocation of DOE resources to Los Alamos National Security, L.L.C., to fund corrective action at the laboratory. The Permittees must notify NMED, within seven days of receipt of such information, should funds become available in the future that allow for the Response to be submitted prior to **June 30, 2014**. If funding becomes available, NMED may re-evaluate the deadline for completion of this project.

Please contact Neelam Dhawan at (505) 476-6042 if you have questions.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Yanicak, NMED DOE OB, MS M894
L. King, EPA 6PD-N
C. Rodriguez, DOE-LASO, MS A316
M. Haagenstad, EP-CAP, MS M992

File: Reading and LANL 2013 Second Ext Rqst. Middle LA Canyon AA Phase 2 IR Response