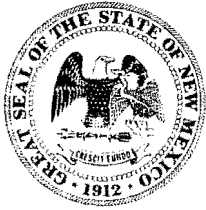


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NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
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Phone (505) 476-6000 Fax (505) 476-6030
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BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor



RON CURRY
Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 2, 2010

George J. Rael
Environmental Operations Manager
Los Alamos Site Office
Department of Energy
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Michael J. Graham
Associate Director Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS M991
Los Alamos, NM 87545

**RE: APPROVAL OF TIME EXTENSION REQUEST;
RESPONSE TO NOTICE OF DISAPPROVAL
UPPER MORTANDAD CANYON AGGREGATE AREA
INVESTIGATION REPORT
LOS ALAMOS NATIONAL LABORATORY
EPA ID #NM0890010515
HWB-LANL-09-053**

Dear Messrs. Rael and Graham:

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) *Extension Request for the Submittal of the Revised Investigation Report for Upper Mortandad Canyon Aggregate Area* (Request), dated January 26, 2010 and referenced by EP2010-0034.

In the Request, the Permittees indicated that a substantial effort will be required to address the 37 comments provided in NMED's January 12, 2010 Notice of Disapproval (NOD). Additional effort will be required to locate and provide facility-related historical information such as inspection reports, photographic documentation and various facility procedures and records requested in the NOD.

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Messrs. Rael and Graham
February 2, 2010
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NMED has reviewed the Request and finds that the Permittees have shown good cause for the requested extension. NMED hereby approves an extension to April 30, 2010 for submittal of the Permittees' response to the NOD and submittal of the revised Upper Mortandad Canyon Aggregate Area Investigation Report. The Notice Date is hereby extended to June 25, 2010.

Please contact Daniel Comeau at (505) 476-6043, if you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Bearzi, NMED HWB
J. Kieling, NMED HWB
D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
K. Roberts, NMED HWB
D. Comeau, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
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File: 2010 LANL, Upper Mortandad Canyon Aggregate Area Investigation Report Response to NOD Extension Request