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DEPARTMENT OF ENERGY
National Nuclear Security Administration
Los Alamos Site Office
Los Alamos, New Mexico 87544



FEB 06 2007

James Bearzi, Chief
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Subject: Approval to Proceed with Construction of the Chemistry and Metallurgy Research Facility Replacement (CMRR) Project Prior to Obtaining a Resource Conservation and Recovery Act (RCRA) Permit

Dear Mr. Bearzi:

This letter is provided as a follow up to the January 12, 2007 meeting between your office, Los Alamos National Laboratory (LANL) representatives, and Gene Turner of my staff regarding a permitting strategy and future permitting needs for LANL. As discussed, one of the upcoming future activities requiring a RCRA permit is the storage of hazardous and mixed waste in a small portion of a building that will be constructed as part of the future Chemistry and Metallurgy Research Facility Replacement (CMRR) project. The purpose of this letter is to confirm the permitting approach for this project agreed upon by all parties.

As conveyed during that meeting, the purpose of the CMRR project is to relocate and consolidate National Nuclear Security Administration (NNSA) mission-critical analytical chemistry, materials characterization, and actinide Research and Development (R&D) capabilities currently housed in the existing CMR Building at LANL into new, safe, and secure buildings. This project will provide the modernized infrastructure necessary to support this mission-critical work over the next several decades. It is also important to note, that this project is a major systems acquisition supported by Congress, via the Congressional Line Item process. Consistent with the planned appropriation of funds, the project performance parameters are established to ensure cost, schedule, and scope are maintained. As such, the flexibility to modify a construction start date is extremely limited.

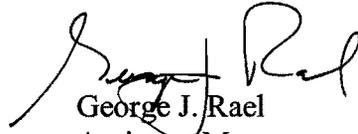
NNSA is requesting written concurrence from New Mexico Environment Department (NMED) regarding the agreed upon permitting approach for this project at the January 12, 2007 meeting.

The agreed approach is as follows: Construction of the CMRR infrastructure proposed to house RCRA regulated storage may begin without an approved RCRA permit; a permit modification for the CMRR RCRA units will be submitted for NMED review and approval as per the New Mexico Hazardous Waste Management Regulations; the time frame for submittal of the permit modification for these units is Fall of 2009; this permit modification request will modify the newly issued facility permit, scheduled for issuance in December 2009; NNSA/LANL will not store hazardous or mixed waste at this facility until NMED has approved the RCRA permit modification.



If you have any comments or questions regarding this letter, please contact me at (505) 606-0397, or Gene Turner of my staff at (505) 667-5794.

Sincerely,



George J. Rael
Assistant Manager
Environmental Operations

EO: 2GT-029

cc:

J. Kieling
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

S. Pullen
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

R. Corman, OOC, LASO
S. Fong, CMRR, LASO
H. Ledoux, CMRR, LASO
G. Turner, EO, LASO
T. Grieggs, ENV-RCRA, LANS, MS-K490
P. Schumann, ENV-RCRA, LANS, MS-K490
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