

TA05



NEW MEXICO ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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JON GOLDSTEIN Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 26, 2008

David Gregory
Federal Project Director
Los Alamos Site Office, Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

David McInroy
Remediation Services Deputy Project Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A992
Los Alamos, NM 87545

RE: DENIAL OF REQUEST FOR EXTENSION TO COMPLETE PLUGGING AND ABANDONMENT OF MORTANDAD CANYON WELLS TW-8 AND MCOBT-4.4
EPA ID #NM0890010515
HWB-LANL-MISC-GW

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy and Los Alamos National Security, LLC (collectively, the Permittees) document entitled Requests for Extension to Complete the Plugging and Abandonment Activities at Test Well 8 and MCOBT-4.4 (hereafter, the Request) dated August 15, 2008 and referenced by EP2008-0452. NMED hereby denies the Request.

Under the Section III.J.2 of the Order, a request for extension of time must include the length of the requested extension and a proposed revised schedule. The Permittees stated in the Request that the activities for which they are seeking the extension of time will be performed in FY2009; however, they did not provide a specific length of the requested extension or a revised schedule, as required in the Order.

On December 7, 2007, NMED approved the Work Plan to Plug and Abandon Mortandad Canyon Wells Test Well 8 and MCOBT-4.4, which included a schedule for plugging and abandonment (P&A) of wells and for submittal of a completion report. The scheduled dates for P&A of TW-8 and MCOBT-4.4 wells, proposed by the Permittees, were, respectively, May 30,



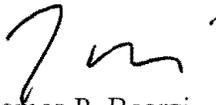
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Messrs. Gregory and McIntyre  
Denial of Request for Extension for P&A  
August 26, 2008  
Page 2

2008 and June 31, 2008. The Permittees did not meet the scheduled completion dates for P&A activities, and did not request an extension of time for these activities until the submittal due date for the P&A summary report. The Permittees had ample time to request an extension of time long before the due date for the completion report.

Should you have any questions or comments, please contact me at (505) 476-6016.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:jk

cc: D. Cobrain, NMED HWB  
J. Kulis, NMED HWB  
T. Skibitski, NMED DOE OB  
S. Yanicak, NMED DOE OB, MS J993  
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file: Reading and LANL General (Groundwater General)