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NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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DAVE MARTIN
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BUTCH TONGATE
Deputy Secretary

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

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 20, 2012

Peter Maggiore
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: EXTENSION REQUEST TO SUBMIT THE
PHASE II INVESTIGATION WORK PLAN FOR
POTRILLO AND FENCE CANYONS AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890018
HWB-LANL-11-043**

Dear Messrs. Maggiore 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 Phase II Investigation Work Plan for Potrillo and Fence Canyons Aggregate Area* (Work Plan) dated November 8, 2012 and referenced by EP2012-0230.

The Permittees request the extension to submit the Work Plan due to their re-allocation of resources to the shipment of transuranic (TRU) waste stored at Technical Area (TA) 54 to the Waste Isolation Pilot Plant, located in Eddy County, New Mexico and due to uncertainties in funding levels for the current federal fiscal year (FFY13). The completion date for the Work Plan has been changed from June 14, 2013 to **September 30, 2013**, as requested.

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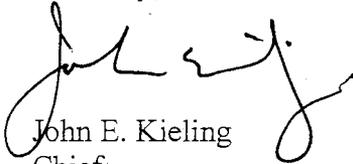


Messrs. Maggiore and Mousseau
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NMED notes that this is the second extension requested by the Permittees to submit this Work Plan from the original due date of June 14, 2012. NMED is concerned over delays that affect the progress of corrective action; however, NMED understands the current uncertainties associated with the allocation of DOE resources to LANS 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 Work Plan to be submitted prior to September 30, 2013. If funding becomes available, NMED may re-evaluate the deadline for completion of this project.

Please contact Dave Cobrain at (505) 476-6055 if you have questions.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
T. Skibitski, NMED DOE OB
S. Yanicak, NMED DOE OB, MS M894
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File: Reading and LANL 2012 -Potrillo-Fence Canyons Aggregate Phase 2 Investigation Report