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NEW MEXICO
ENVIRONMENT DEPARTMENT

ENTERED



Hazardous Waste Bureau

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DAVE MARTIN
Cabinet Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 19, 2011

George J. Rael, Assistant Manager
Environmental Projects Office
Department of Energy/National
Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Road, Mail Stop A316
Los Alamos, NM 87544

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

**RE: APPROVAL
EXTENSION REQUEST
NOD RESPONSE FOR THE S-SITE AGGREGATE AREA IR
LOS ALAMOS NATIONAL LABORATORY
EPA ID #NM0890010515
HWB-LANL-10-071**

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, LLC (LANS) (collectively, the Permittees) *Extension Request for the Response to Notice of Disapproval for S-Site Aggregate Area Investigation Report*, dated January 12, 2011 and referenced by EP2011-0030.

34262



The Permittees request additional time to respond to the Notice of Disapproval (NOD) comments and to make revisions to the Investigation Report (IR) based on the NOD comments. S-Site Aggregate Area IR includes 68 solid waste management units and areas of concern. Additional time is requested because of number of comments in the NOD and the nature of the revisions (many tables, text sections, corresponding figures and plates need revision). The Permittees state that the current deadline of January 27, 2011 for submittal of the NOD response will be exceeded. NMED notes that many errors and inconsistencies were found in the IR that added to NMED's review time and resulted in 60 NOD comments. In addition, the Permittees were given 36 days to respond instead of the usual 30 days to prepare a response. A hard copy of the NOD was mailed on December 22, 2010 and an electronic copy was also sent to the LANS and DOE project managers on the same day.

The Permittees have nevertheless shown good cause for the requested 29 day extension. NMED hereby grants a 29 day extension for the submittal of response. The Permittees must submit the response to NOD comments and a revised IR no later than **February 25, 2011**. Please contact Neelam Dhawan of my staff at (505) 476-6042 should you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB
D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
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File: LANL, S-Site Aggregate Area IR, 2011