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Governor

JOHN A. SANCHEZ  
Lieutenant Governor

NEW MEXICO  
ENVIRONMENT DEPARTMENT



ENTERED



*Hazardous Waste Bureau*

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DAVE MARTIN  
Secretary

BUTCH TONGATE  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

December 7, 2012

Juan Griego, Acting Manager  
Los Alamos Site Office  
Department of Energy  
3747 W. Jemez Rd., MS-A316  
Los Alamos, NM 87544

Michael T. Brandt, Associate Director  
Environment, Safety, Health, & Quality  
Los Alamos National Security, LLC  
Los Alamos Research Park  
P.O. Box 1663, MS K491  
Los Alamos, NM 87545

**RE: OPEN BURN PERMIT MODIFICATION  
TECHNICAL AREA 16, UNIT TA-16-388  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID# NM 0890010515**

Dear Messrs. Griego and Brandt:

On November 30, 2010, the New Mexico Environment Department (NMED) Secretary issued a final order to the United States Department of Energy and Los Alamos National Security, LLC, collectively the *Permittees*, renewing the hazardous waste permit for the Los Alamos National Laboratory. The final order denied that part of the Permittees' application for a permit to operate open burn (OB) units TA-16-388 and TA-16-399. On December 21, 2010, the Secretary issued an order (Remand Order) stating that the Permittees could continue to operate the OB units under interim status and remanding the OB application to the NMED Hazardous Waste Bureau to address deficiencies identified in the application.

The Remand Order stated that the Permittees "shall file a full and complete permit application that adequately addresses all deficiencies previously identified in writing and at hearing by the HWB by a date determined by the HWB" and that NMED would confer with the Permittees to determine an appropriate submission date. NMED notes that the Permittees are in the process of closing OB Unit TA-16-399 under interim status closure procedures.

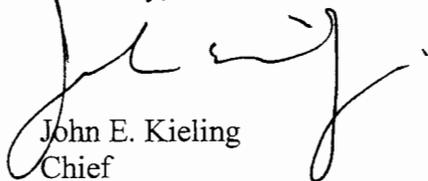


Messrs. Griego and Brandt  
December 7, 2012  
Page 2

After conferring with the Permittees, NMED has determined that the Permittees shall submit a Class 3 Permit Modification Request (PMR) to add OB unit TA-16-388 to the Permit no later than June 28, 2013. As required by the Remand Order, the Permittees shall submit a full and complete Class 3 PMR, including all referenced documents that are not already in the Administrative Record.

If you have any questions regarding this correspondence, please contact Tim Hall of my staff at 505-222-9555 or at [timothy.hall@state.nm.us](mailto:timothy.hall@state.nm.us).

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

JEK/th

cc:

J. Davis, RPD, NMED  
J. Kieling, HWB, NMED  
T. Hall, HWB, NMED  
L. King, EPA 6PD-N  
T. Grieggs, ENV-RCRA, LANS, MS-K490  
M. Haagenstad, ENV-RCRA, LANS, MS-K404  
G. Turner, DOE-LASO, MS-A316

File: Reading and LANL Permit 2012