

Subject: Re: 21-011(k)**Date:** Wed, 08 Jan 2003 14:45:42 -0700**From:** Vickie Maranville <vickie_maranville@nmenv.state.nm.us>**To:** Mark Thacker <MThacker@lanl.gov>**CC:** John Young <john_young@nmenv.state.nm.us>, David Cobrain <david_cobrain@nmenv.state.nm.us>, Vickie Maranville <vickie_maranville@nmenv.state.nm.us>

Just wanted to let you know that I received your email and have the following comments. NMED will not grant an extension of time for submittal of the response to NMEDs NOD issued on December 17, 2002. NMED believes the Permittees have had sufficient time to respond to the NOD. NMED first received a VCM Plan for 21-011(k) on April 19, 2002 (due to NMED on April 22, 2002) which was deemed technically incomplete by NMED (letter dated May 15, 2002). NMED granted the Permittees additional time to revise the VCM Plan. A revised plan (Revision 1) was submitted to NMED on July 1, 2002. The revised plan was subsequently withdrawn (September 18, 2002) by the Permittees. On October 31, 2002 Revision 2 was submitted for review. On December 17, 2002 NMED determined, in a letter to the Permittees, Revision 2 of the VCM Plan to be deficient, and therefore issued the NOD (December 17, 2002). Many of the issues outlined in the NOD are similar to comments provided to the Permittees in previous request for supplemental information for the site.

NMED believes the deadline for response to the NOD, of January 17, 2002 to be reasonable, and therefore NMED will not grant an additional extension of time. If you have an questions, please feel free to contact me at 428-2546.

Sincerely, Vickie Maranville

Mark Thacker wrote:

> Thank you Vickie, after checking with the parties involved in the NOD (Legal
> and DOE) we are going to need to request more time to formalize our
> response. Since the NOD was received on the 23rd and we were shut down till
> Monday, I did not receive it till Tuesday and cannot get it through the
> system that quickly. We will fax the letter requesting a 2 week extension
> Thursday. Sorry for the delay but we lost two weeks due to the holidays.
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> Mark
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> Mark S. Thacker
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> Los Alamos National Laboratory
> Office (505) 665-5342
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>
> -----Original Message-----
> From: Vickie Maranville [mailto:vickie_maranville@nmenv.state.nm.us]
> Sent: Wednesday, January 08, 2003 10:00 AM
> To: Mark Thacker
> Subject: 21-011(k)
>
> The purpose of this email is to follow-up to our telephone conversation
> of January 8, 2003 regarding Solid Waste Management Unit (SWMU)
> 21-011(k) Notice Of Deficiency (NOD) letter.
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> NMED sent an NOD to Los Alamos National Laboratory and the Department of
> Energy (Permittees) on December 17, 2002. The NOD required the
> Permittees to revise Revision 2 of the Voluntary Corrective Measures
> (VCM) Plan for SWMU 21-011(k) (dated October 2002 and referenced by

10679



> LA-UR-02-6797 and ER2002-0745) as outlined in the attachment to the NOD
> letter. The Permittees requested that NMED allow submittal of a letter
> and NOD response to comments on or before January 17, 2003 and prior to
> submittal of the revised VCM Plan. NMED agreed to allow the Permittees
> to submit a letter and NOD response to comments addressing all comments
> outlined in the NMED NOD letter attachment (dated December 17, 2002).
> NMED will review the response to comments submitted by the Permittees
> and provide a written response to the Permittees. Once the Permittees
> response to comments has been approved by NMED, the Permittees must
> submit a revised VCM within 15 days of NMEDs approval (which will be
> issued in writing). Once the revised VCM Plan is submitted, NMED will
> formally review the plan and issue a final ruling (in writing) to the
> Permittees.
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> Should you have any questions, or require further clarification, please
> feel free to contact me at 428-2546.
>
> Vickie Maranville

Geologist New Mexico Environment Department Hazardous Waste Bureau
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