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DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 8, 2005

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

G. Pete Nanos, Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, NM 87545

RE: REQUEST FOR EXTENSION FOR INVESTIGATION REPORT FOR SOLID WASTE MANAGEMENT UNIT (SWMU) 21-015, MATERIAL DISPOSAL AREA B (MDA B), LOS ALAMOS NATIONAL LABORATORY, EPA ID #NM0890010515 HWB-LANL-04-010

Dear Messrs. Gregory and Nanos:

The New Mexico Environment Department (NMED) is in receipt of the Request for Extension for the *Investigation Report for Solid Waste Management Unit (SWMU) 21-015, Material Disposal Area B (MDA B)*, referenced by ER2005-0250 and dated June 30, 2005, and submitted by the U.S. Department of Energy and the Regents of the University of California (collectively, the Permittees). In the letter, the Permittees requested a new submission date of January 31, 2008 for the Investigation Report.

NMED has reviewed the Permittees' justification for the extension request. However, the Permittees have not provided any data or other relevant information which supports any extension, much less one of 2 years. NMED believes that actual field work should commence and be executed to enable the Permittees to better estimate the time required to actually conduct the field work. NMED believes an extension request would be more appropriate at that time. NMED therefore does not approve the requested extension.



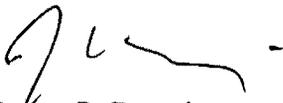
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Please note that Section III.J.2, Provisions Governing Extensions of Time, of the March 1, 2005 Consent Order (Order) is intended to be utilized primarily while field work is on-going. If unforeseen field conditions are encountered, the Permittees have the opportunity to request an extension based on the unforeseen field conditions and the estimated time it would take to overcome them. The ten (10) day response requirement is intended to accelerate the review process so that field work can proceed.

Finally, be advised that internal Laboratory or DOE reviews are not considered as justification for an extension. Rather, the Permittees should incorporate such reviews into their planning process well in advance of submittal deadlines in order to comply with the deadlines in the Consent Order.

Should you have any questions, please contact Kathryn Chamberlain at (505) 428-2546.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:kc

cc: K. Chamberlain, NMED HWB
D. Goering, NMED HWB
D. Pepe, NMED DOE OB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
J. Ordaz, DOE OLASO, MS A316
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file: Reading and LANL TA-21 (SWMU 21-015)