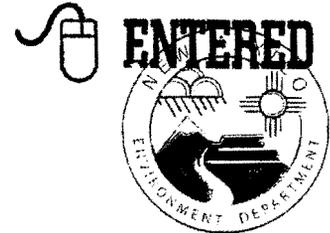




TAS1
**NEW MEXICO
 ENVIRONMENT DEPARTMENT**



Hazardous Waste Bureau

BILL RICHARDSON
 Governor

2905 Rodeo Park Drive East, Building 1
 Santa Fe, New Mexico 87505-6303

RON CURRY
 Secretary

DIANE DENISH
 Lieutenant Governor

Phone (505) 476-6000 Fax (505) 476-6030

ION GOLDSTEIN
 Deputy Secretary

www.nmenv.state.nm.us

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 15, 2009

Donald L. Winchell, Jr., Manager
 Los Alamos Site Office-Department of Energy
 3747 West Jemez Road, Mail Stop A316
 Los Alamos, NM 87544

Chris Cantwell, Associate Director
 Environment, Safety, Health, & Quality
 Los Alamos National Security, LLC
 P.O. Box 1663, MS K491
 Los Alamos, NM 87545

**RE: DEMAND FOR PAYMENT
 INTEREST ON STIPULATED PENALTIES FOR THE PERIODIC
 MONITORING REPORT FOR VAPOR SAMPLING ACTIVITIES AT
 MATERIAL DISPOSAL AREA T, CONSOLIDATED UNIT 21-016(a)-99, AT
 TECHNICAL AREA 21
 LOS ALAMOS NATIONAL LABORATORY (LANL), EPA ID NM0890010515
 HWB-LANL-09-003**

Dear Messrs. Winchell and Cantwell:

This letter constitutes written notice of the New Mexico Environment Department's (Department) demand for payment of interest on stipulated penalties pursuant to Section III.G.6 of the March 1, 2005 Order on Consent (Order). This notice is for the Department of Energy (DOE) and the Los Alamos National Security, L.L.C.'s (the Respondents) failure to timely submit payment of stipulated penalties for the Respondents' *Periodic monitoring Report for Vapor Sampling Activities at Material Disposal Area T, Consolidated Unit 21-016(a)-99, at Technical Area 21* (Report).

In accordance with Section III.G.6 of the Order, interest shall accrue from the date the penalty is due until the date it is actually paid and at the rate specified in 28 U.S.C. § 1961. 28 U.S.C. Specifically, "interest shall be calculated...at a rate equal to the weekly average 1-year constant maturity Treasury Yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding." The Table below explains how the total accumulated interest was calculated.

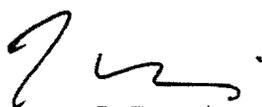


Summary of Stipulated Penalties and Accrued Interest for MDA T								
	Date	Action	Amount	Due Date	Submittal Date	Days Late	Daily Average 1-year Constant Maturity Treasury Yield	Interest
	2/25/2009	Notice of Intent to Assess						
	5/22/2009	Final Demand letter (Days 1-62)	\$126,000.00	7/6/2009	9/10/2009	66	.518%	\$118.14
Total as of 9/10/2009			\$126,000.00					\$118.14

The total assessed interest of **\$118.14** is due to the Department within 30 days of the date of this letter. The Respondents must follow the procedures for payment outlined in Section III.G.5 of the Order.

Should you have any questions, please contact Kathryn Roberts at 476-6041.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: K. Roberts, NMED HWB
D. Cobrain, NMED HWB
B. Holton, NMED HWB
A. Vollmer, NMED HWB
C. de Saillan, OGC
S. Yanicak, NMED DOE OB, MS M894
L. King, EPA 6PD-N
V. George, ENVP-DO, MS J978
M. Graham, ADEP, MS M992
G. Rael, DOE LASO, MS A316
D. Gregory, DOE LASO, MS A316
D. Woitte, LANS, MS A187
L. Cummings, DOE LASO, MS A316
file: Reading and LANL '09, SWMU 21-016(a)-99