



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

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NEW MEXICO ENVIRONMENT

NEW MEXICO ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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

Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us



DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 14, 2011

George J. Rael
Assistant Manager
U.S. Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Rd, MSA316
Los Alamos, NM 87544

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

**RE: APPROVAL
EXTENSION REQUEST FOR SUBMITTAL OF THE PHASE III
INVESTIGATION REPORT FOR DP SITE AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-11-033**

Dear Messrs. Rael and Graham:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy (DOE) and Los Alamos National Security, L.L.C.'s (collectively, the Permittees) document entitled *Request for Extension to Submit the Phase III Investigation Report for DP Site Aggregate Area* (Request) dated December 2, 2011 and referenced by EP2011-0395.

The Permittees request the extension to submit the investigation report for DP Site Aggregate Area at Technical Area (TA) 21 due to the need to focus on removal of transuranic (TRU) waste from TA-54 to the Waste Isolation Pilot Plant, located in Eddy County, New Mexico. The need to remove TRU waste stored at TA-54 is aligned with Governor Martinez' policy to prioritize groundwater and surface water protection and accelerate the removal of TRU waste stored at Los Alamos National Laboratory.



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The Permittees stated cause for the requested time extension is acceptable. The submittal of the Phase III Investigation Report for DP Site Aggregate Area is hereby postponed from April 20, 2012 to **April 20, 2014**, as requested. NMED may re-evaluate the need for this extension based on the Permittees' progress in accelerating the removal of TRU waste from TA-54 or if new information arises that indicates that contaminant concentrations are increasing in the subsurface beneath TA-21. The Permittees must notify NMED, within 30 days of receipt of such information, should funds become available in the future that allow the investigation report to be completed prior to April 20, 2014.

Please contact Dave Cobrain at (505) 476-6055 if you have questions.

Sincerely,



John E. Kieling
Acting Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
B. Wear, NMED HWB
T. Skibitski, NMED DOE OB
S. Yanicak, NMED DOE OB, MS M894
L. King, EPA 6PD-N
A. Russell, DOE-LASO, MS A316
J. Rice, ADEP, MS M991
P. Maggiore, DOE-LASO, MS A316

File: Reading and LANL 2011 – TA-21 Delta Prime Aggregate Area