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NEW MEXICO
ENVIRONMENT DEPARTMENT



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RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

June 26, 2014

Peter Maggiore
Assistant Manager, Env. Projects Office
Los Alamos Field Office, DOE
3747 West Jemez Rd, MS A316
Los Alamos, NM 87544

Jeffrey D. Mousseau
Associate Director, Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS M991
Los Alamos, NM 87545

**RE: THIRD EXTENSION REQUEST
FOR THE APPLICATION OF WATER TO THE BERMED AREA AT
TECHNICAL AREA 21 VADOSE ZONE MOISTURE MONITORING
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-MISC-GW**

Dear Messrs. Maggiore and Mousseau:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy (DOE) and the Los Alamos National Security, L.L.C.'s (collectively, the Permittees) document entitled *Request for Extension for the Application of Water to the Bermed Area at Technical Area 21 Vadose Zone Moisture Monitoring* dated June 13, 2014 and referenced by EP2014-0248.

The Permittees request an extension for the application of water to the bermed area at TA-21 vadose zone moisture monitoring. The application of water to the bermed area is also tied to the requirement to install and instrument six boreholes to monitor the vadose zone moisture content. This is the third extension request for the application of water to the bermed area and installation and instrumentation of six boreholes (previous extensions were granted on November 21, 2011 and March 13, 2014). NMED has granted extensions based on the Permittees' need to divert resources to remove transuranic waste in accordance with the Framework Agreement. Based on



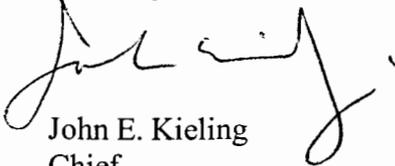
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the Permittees' statement that they will not be able to meet the deadlines that they committed to in the Framework Agreement, the request is hereby denied.

NMED is concerned over delays that affect the progress of groundwater characterization and remediation. Governor Martinez has prioritized the protection of groundwater, and any delay in application of water to the bermed area at TA-21 and the installation and instrumentation of the six boreholes is counter to this objective. The Permittee is required to apply water to the bermed area as previously scheduled by **June 30, 2014** and to install and instrument the six boreholes as scheduled by **December 31, 2014**.

Should you have any questions, please contact Dave Cobrain of my staff at (505) 476-6055.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

- cc: T. Blaine, NMED EHD
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File: Reading and LANL 2014 – Groundwater, TA-21, Vadose Zone Moisture Monitoring