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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

BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

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CINDY PADILLA
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 21, 2007

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

David McInroy
Remediation Services Deputy Project Director
Los Alamos National Laboratory
P.O. Box 1663, MS M992
Los Alamos, NM 87545

**RE: APPROVAL OF THE EXTENSION REQUEST FOR THE RESPONSE TO THE
NOTICE OF DISAPPROVAL FOR THE INVESTIGATION WORK PLAN FOR
NORTH ANCHO AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY, EPA ID #NM0890010515
HWB-LANL-07-028**

Dear Messrs. Gregory and McInroy:

The New Mexico Environment Department (NMED) is in receipt of the *Request for Extension for the Response to the Notice of Disapproval for the Investigation Work Plan for North Ancho Canyon Aggregate Area*, referenced by EP2007-0706 and dated November 9, 2007. The extension was requested because the Permittees proposed to defer four currently active sites: 39-002(b), 39-004(c), 39-004(d), 39-008. As NMED stated in specific comments 2, 7, 8 and 9 of the Notice of Disapproval (NOD), these sites are included on Table IV-1, *Non-Deferred Sites Within Testing Hazard Zones*, of the March 1, 2005 Order on Consent (Order). Sites must be located within a Testing Hazard Zone *and* on Table IV-2 of the Order to be eligible for deferral. NMED therefore required the Permittees to revise the Plan to include investigation activities at the four subject sites.

NMED acknowledges that the addition of sampling plans for these sites will require additional time. NMED therefore grants the extension request. The new due date for the Response to the NOD will be December 14, 2007.

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Messrs. Gregory and McInroy
November 21, 2007
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Please contact Kathryn Roberts at (505) 476-6041 should you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc:

D. Cobrain, NMED HWB
K. Roberts, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
T. Skibitski, NMED DOE OB
L. King, EPA 6PD-N
G. Rael, DOE LASO, MS A316
S. Stiger, ENV MS J591
file: Reading and LANL TA-39 '07 (SWMUs; 39-004(c), 39-004(d), 39-002(a),
39-005, 39-007(a), 39-010, 39-001(a), 39-001(b), 39-006(a), 39-008; AOCs: 39-
002(b), 39-002(c), 39-002(d), 39-002(f), 39-007(d))