



BRUCE KING  
GOVERNOR

State of New Mexico  
ENVIRONMENT DEPARTMENT  
Harold Runnels Building  
1190 St. Francis Drive, P.O. Box 26110  
Santa Fe, New Mexico 87502  
(505) 827-2850

JUDITH M. ESPINOSA  
SECRETARY

RON CURRY  
DEPUTY SECRETARY



*certs*  
*your copy*

*Marc*

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

January 22, 1992

Mr. Jerry L. Bellows, Area Manager  
Los Alamos Area Office  
Department of Energy  
528 35th Street  
Los Alamos, New Mexico 87544-5000

*Amended 12/24/91*  
*2/10/92*

RE: TA-40 Scrap Detonation Site Approved Closure Plan

Dear Mr. Bellows:

The New Mexico Environment Department (NMED) received your letter dated November 15, 1991 requesting a change in the schedule of activities the subject document requires. You stated that the Department of Energy (DOE)/Los Alamos National Laboratory (LANL) will not be able to meet the sampling deadline that is depicted on Figure 6.1 in the approved plan, but that you are optimistic that other significant milestones on Figure 6.1 will be met.

Changes to the closure plan schedule, including the intermediate milestones, are considered Class I modifications and may be implemented with prior NMED approval. We are concerned that DOE/LANL may have implemented a change to the approved closure plan schedule without our written approval.

According to the New Mexico Hazardous Waste Management Regulations (HWMR-6), Part VI, Section 40 CFR 265.112(c), DOE/LANL must submit a written request to NMED to authorize a change to the approved closure plan. The request must include a copy of the amended closure plan for approval by NMED. Your written request does not include the amended closure plan required for our approval.

We request that you submit an amended closure plan schedule for our approval within 30 days of receipt of this letter. When we receive the proposed amendments we will promptly review the request and notify you of our decision in writing. We may consider that DOE/LANL is out of compliance with the approved closure plan if changes to the approved plan are implemented without receiving NMED's written approval.

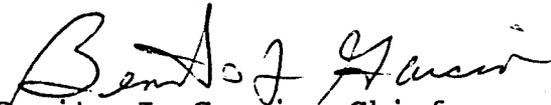
*TC*



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Please contact Marc Sides of my staff at (505) 827-4300 if you have any questions.

Sincerely yours,

A handwritten signature in cursive script that reads "Benito J. Garcia". The signature is written in dark ink and is positioned above the typed name.

Benito J. Garcia, Chief  
Hazardous and Radioactive Materials Bureau

cc: William K. Honker, (6H-P) US EPA Region 6