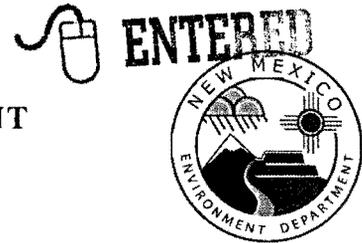




50

NEW MEXICO
ENVIRONMENT DEPARTMENT



Resource Protection Division

SUSANNA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

Harold Runnels Building
1190 Saint Francis Drive (87505)
PO Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-2855 Fax (505) 827-2836
www.nmenv.state.nm.us
James H. Davis, Ph.D.

DAVE MARTIN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary
JAMES H. DAVIS, Ph.D.
Division Director

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

December 30, 2011

Anthony R. Grieggs, Group Leader
Environmental Protection Division
Water Quality & RCRA (ENV-RCRA)
P.O. Box 1663, Mail Stop K490
Los Alamos, NM 87545

RE: Denial of Time Extension to Submit Application, DP-1132, Radioactive Liquid Waste Treatment Facility (RLWTF)

Dear Mr. Grieggs:

On November 18, 2011, the New Mexico Environment Department (NMED) notified Los Alamos National Laboratory (LANL), by certified mail (copy enclosed), that a complete and current Discharge Permit application for the RLWTF was required to be submitted within 90 days (by February 16, 2011). On December 9, 2011, NMED received your request for a time extension to complete the required Discharge Permit application (copy enclosed). NMED is determined to advance the permitting process in a timely manner. With that in mind, an extension of the deadline for the submission of an application would only prolong and perhaps inhibit the facility's ability to implement and discharge to the proposed Zero Liquid Discharge Evaporative Tanks (ZLD). **NMED therefore denies the time extension for submission of the Discharge Permit application.**

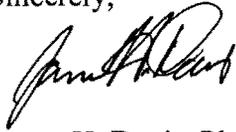
In order to effectively and efficiently process the Discharge Permit application, NMED provided a list of elements which should be included in the submittal. Mr. Robert Beers, with Los Alamos National Laboratory, has requested a meeting with NMED to discuss the specific elements in NMED's November 18, 2011 letter to ensure the application is submitted in its entirety and to prevent further delays in the permitting process. NMED remains committed to working with LANL to clarify the specific elements that must be addressed in the application and is planning to meet with LANL staff within the first two weeks of January. It is anticipated that the outcome of the technical discussion will provide constructive information which will advance the application process.

If you have any questions regarding this matter, please contact Clint Marshall, Acting Program Manager of the Ground Water Pollution Prevention Section, at 505-827-0027 or Jennifer Fullam at 505-827-2909.

35010



Sincerely,



James H. Davis, Ph.D.
Director, Resource Protection Division

JD:JF

- enc: Letter from NMED to LANL requiring Discharge Permit application, dated November 18, 2011
Letter from LANL to NMED requesting extension, dated December 9, 2011, NMED
- cc: James Bearzi, NMED SWQB (w/o enclosures)
Richard Powell, NMED SWQB (w/o enclosures)
John Kieling, NMED HWB (w/o enclosures)
Steven Yanicak, NMED-DOE-Oversight Bureau (w/o enclosures)
Hai Shen, LASO-EO, Los Alamos National Laboratory, A316, Los Alamos, NM 87545 (w/o enclosures)
Gene Turner, LASO-EO, Los Alamos National Laboratory, A316, Los Alamos, NM 87545 (w/o enclosures)
Michael T. Brandt, ADESH, Los Alamos National Laboratory, K491, Los Alamos, NM 87545 (w/o enclosures)
Carl A. Beard, PADOPS, Los Alamos National Laboratory, A102, Los Alamos, NM 87545 (w/o enclosures)
J. Chris Cantwell, ADESHQ, Los Alamos National Laboratory, K491, Los Alamos, NM 87545 (w/o enclosures)
Randy Johnson, ENV-ES, Los Alamos National Laboratory, E500, Los Alamos, NM 87545 (w/o enclosures)
Michael Saladen ENV-RCRA, Los Alamos National Laboratory, K490, Los Alamos, NM 87545 (w/o enclosures)
Robert Mason, TA-55-DO, Los Alamos National Laboratory, E583, Los Alamos, NM 87545 (w/o enclosures)
Hugh McGovern, TA-55-RLW, Los Alamos National Laboratory, E518, Los Alamos, NM 87545 (w/o enclosures)
Pete Worland, TA-55-RLW, Los Alamos National Laboratory, E518, Los Alamos, NM 87545 (w/o enclosures)
Susan L. McMichael, LC-LESH, Los Alamos National Laboratory, A187, Los Alamos, NM 87545 (w/o enclosures)
Bob Beers, ENV-RCRA, Los Alamos National Laboratory, K490, Los Alamos NM, 87545 (w/ enclosures)