# NEW MEXICO ENVIRONMENT DEPARTMENT

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Deputy Secretary


**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

November 3, 2014

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

Michael Brandt, Associate Director
Environment, Safety, Health
Los Alamos National Laboratory
P.O. Box 1663, MS K491
Los Alamos, NM 87545

**RE: APPROVAL OF SECOND EXTENSION REQUEST TO SUBMIT THE INVESTIGATION REPORT FOR THE TECHNICAL AREA 57 AGGREGATE AREA (FENTON HILL) LOS ALAMOS NATIONAL LABORATORY EPA ID#NM0890010515 HWB-LANL-12-027**

Dear Messrs. Maggiore and Brandt:

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 to Submit the Investigation Report for Technical Area 57 Aggregate Area (Fenton Hill)* dated October 21, 2014 and referenced by ADESH-14-100. The Permittees request to change the submittal date from December 31, 2014 to March 20, 2015.

The Permittees are requesting a second extension to submit the Investigation Report for Technical Area (TA) 57 Aggregate Area (IR) to conduct additional sampling and remediation at solid waste management unit 57-007 where the extent of contamination is not defined. The first extension was granted on April 16, 2014 that changed the submittal date from April 30, 2014 to December 31, 2014.

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NMED has granted extensions in the past based on the Permittees' need to divert resources to remove transuranic waste in accordance with the Framework Agreement. The Permittees have stated that they will not be able to meet the deadlines that they committed to in the Framework Agreement. This IR submittal is required under the Consent Order and is included in the fiscal year 2015 stipulated penalty list.

The Permittees' propose to conduct additional sampling and soil removal to complete investigations at TA-57 and to avoid submitting a Phase II work plan and report. The submittal date for the IR has been changed from December 31, 2014 to **March 20, 2015.**

Should you have any questions, please contact Neelam Dhawan of my staff at (505) 476-6042.

Sincerely,

John E. Kieling
Chief
Hazardous Waste Bureau

cc: T. Blaine, NMED EHD
D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Yanicak, NMED DOE OB
L. King, EPA 6PD-N
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T. Haagenstad, EP-CAP, MS A992

File: Reading and LANL 2014 – Approval Extension Rqst IR for TA-57