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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



RON CURRY
Secretary

CINDY PADILLA
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 29, 2007

Donald L. Winchell, Jr., Manager
Los Alamos Site Office-Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

Richard S. Watkins, Associate Director
Environment, Safety, Health, & Quality
Los Alamos National Security, LLC
Los Alamos Research Park
4200 Jemez Road, Suite 400
Los Alamos, NM 87545

**RE: CORRECTION TO FINAL DEMAND FOR PAYMENT
STIPULATED PENALTY FOR THE INVESTIGATION REPORT FOR
CORRECTIVE ACTION OF SWMU 73-002 (INCINERATOR ASPHILE
REMOVAL), LOS ALAMOS NATIONAL LABORATORY (LANL),
EPA ID NM0890010515
HWB-LANL-05-005**

Dear Messrs. Winchell and Watkins:

This letter is provided to correct the New Mexico Environment Department's (Department) *Final Demand for Payment, Stipulated Penalties for the Investigation Report for Corrective Action of SWMU 73-002 (Incinerator Ashpile Removal)* letter dated August 13, 2007. The aforementioned letter states that the *Investigation Report for Corrective Action of SWMU 73-002 (Incinerator Ashpile Removal)* (Report) was submitted on July 9, 2007. However, the actual submittal date was July 6, 2007. The final demand for payment is for five days (rather than eight) of noncompliance (July 2, 2007 through July 6, 2007). In accordance with Section III.G.5, \$15,000.00 (rather than \$24,000.00) was due to the Department on September 27, 2007.

In accordance with Section III.G.6 of the Order interest shall accrue at the rate specified in 28 U.S.C. § 1961. Interest shall accrue from the date the penalty is due until the date it is actually paid.



Messrs. Winchell and Watkins
October 29, 2007
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If you have any questions regarding this letter, please contact me at (505) 476-6016.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: K. Roberts, NMED HWB
A. Vollmer, NMED HWB
J. Valdez, NMED HWB
C. de Saillan, NMED OGC
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
V. George, ENVP-DO, MS J978
S. Stiger, ADEP MS J591
G. Rael, DOE LASO, MS A316
D. Gregory, DOE LASO, MS A316
D. Woitte, LANS, MS A187
L. Cummings, DOE LASO, MS A316
file: Reading and LANL '07 (Permit)