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State of New Mexico
ENVIRONMENT DEPARTMENT



BILL RICHARDSON
GOVERNOR

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Telephone (505) 428-2500
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RON CURRY
SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUIRED

October 13, 2006

Mr. Edwin Wilmot, Manager
Los Alamos Site Office-Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

Mr. 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: 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. Wilmot and Watkins:

This letter constitutes written notice of the New Mexico Environment Department's (Department) demand for payment of stipulated penalties pursuant to Section III.G of the March 1, 2005 Order on Consent (Order). This notice is for the Department of Energy (DOE) and the Los Alamos National Security, LLC's (the Respondents) failure to timely submit the *Investigation Report for Corrective Action of SWMU 73-002 and Consolidated Unit 73-002-99* (Investigation Report).

In accordance with Section III.G.3 of the Order, the Respondents shall pay \$1,000 per day for the first thirty (30) days of noncompliance, and \$3,000 per day thereafter. On September 13, 2006, the Department issued written notice of its intent to assess stipulated penalties. This demand for payment is for the first 30 days of noncompliance. Therefore, in accordance with Section III.G.5, \$30,000.00 is due to the Department within 45 days of the date of this letter.

The Respondents must follow the procedures for payment outlined in Section III.G.5 of the Order. Interest shall accrue on all stipulated penalties in accordance with Section III.G.6 of the Order.



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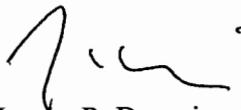
Messrs. Wilmot & Watkins

October 13, 2006

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If you have any questions regarding this letter, please contact me at (505) 428-2512.

Sincerely,



James P. Bearzi

Chief

Hazardous Waste Bureau

JPB:kc

cc: K. Chamberlain, NMED HWB
D. Goering, NMED HWB
C. de Saillan, OGC
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
V. George, ENVP-DO, MS J978
A. Phelps, ENV, MS T002
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 '06 (Permit)~~