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State of New Mexico  
**ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*

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**BILL RICHARDSON**  
GOVERNOR



**RON CURRY**  
SECRETARY

**CINDY PADILLA**  
DEPUTY SECRETARY

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

March 5, 2007

David Gregory  
Federal Project Director  
Los Alamos Site Office  
Department of Energy  
528 35<sup>th</sup> Street, Mail Stop A316  
Los Alamos, NM 87544

David McInroy  
Remediation Services Deputy Project Director  
Los Alamos National Laboratory  
P.O. Box 1663, Mail Stop M992  
Los Alamos, NM 87545

**RE: NOTICE OF AGREEMENT  
FORCE MAJEURE FOR THE REMEDY COMPLETION REPORT FOR SOLID  
WASTE MANAGEMENT UNIT (SWMU) 73-001(a-d), 73-004(d)  
LOS ALAMOS NATIONAL LABORATORY, NM0890010515  
HWB-LANL-06-018**

Dear Messrs. Gregory and McInroy:

In a letter dated February 23, 2007, the New Mexico Environment Department (NMED) notified the United States Department of Energy (DOE) and the Los Alamos National Security, LLC (LANS) (collectively, "the Respondents") of its preliminary agreement that a recent snowfall was a force majeure event beyond the reasonable control of the Respondents. In accordance with Section III.H.3 of the March 1, 2005 Consent Order, NMED is providing written notice of its agreement that a force majeure event has occurred. In response to NMED's letter, the Respondents notified NMED in an e-mail dated March 1, 2007 that the actual duration of the event was ten days. The Airport Landfill Remedy Completion Report will be due on April 15, 2007. NMED's notice date will be August 13, 2007.



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Messrs. Gregory and McInroy  
Notice of Agreement for Force Majeure  
March 5, 2007  
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Should you have any questions, please feel free to contact Darlene Goering of my staff at (505) 476-6042.

Sincerely,



James Bearzi  
Chief  
Hazardous Waste Bureau

JPB:dxg

cc: D. Goering, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
L. King, EPA 6PD-N  
G. Rael, DOE LASO, MS A316  
A. Phelps, LANL MS M591  
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