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04-15-14 P01:28 IN

Date: **APR 15 2014**  
 Refer To: EP2014-0114

Ms. Paulette Johnsey  
 U.S. Environmental Protection Agency, Region 6  
 Compliance and Assurance Division  
 Water Enforcement Branch (6EN)  
 1445 Ross Avenue, Suite 1200  
 Dallas, Texas 75202-2733

Mr. Everett Spencer  
 U.S. Environmental Protection Agency, Region 6  
 Compliance and Assurance Division  
 Water Enforcement Branch (6EN)  
 1445 Ross Avenue, Suite 1200  
 Dallas, Texas 75202-2733

**Subject: NPDES Permit No. NM0030759 – Request for an Extension to Submit Alternative Compliance Request for Site 01-001(f) in LA-SMA-2.1**

Dear Ms. Johnsey and Mr. Spencer:

The U.S. Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) (the Permittees) are requesting an extension from Region 6 of the U.S. Environmental Protection Agency (EPA) to meet the deadline to place Site 01-001(f) into “alternative compliance” under the National Pollutant Discharge Elimination System Permit No. NM0030759 (the Individual Permit). Because the completion of corrective action for this Site will require careful integration of the Individual Permit and the March 2005 Compliance Order on Consent (Consent Order), the Permittees require additional time to draft the alternative compliance request.

Under the Individual Permit, the Permittees must certify completion of corrective action for High Priority Sites on or before November 1, 2013, unless no confirmation sample could be collected from a measurable storm event at an individual Site before the second year of the permit (or before September 30, 2012) [see Part E.1(d)]. Part E.1(d) further provides that the compliance deadline for corrective action under Part E.4 is “extended for a one (1) year period following the first successful confirmation sampling event.” Part E.3(b), in turn, provides that if the Permittees seek to place a Site into alternative compliance, they shall not be out of compliance with the applicable deadlines for achieving completion of corrective action under Part E.4 provided that the request and supporting documentation are submitted to EPA on or at least six (6) months before the applicable deadlines.

The Permittees completed their first successful baseline sampling result from a measurable storm event for this Site on October 21, 2013, which is after the end of the second year of the Individual Permit. The sample for LA-SMA-2.1 exceeded target action levels (TALs) for copper, polychlorinated biphenyls (PCBs), and gross-alpha radioactivity. As a result, the adjusted deadline to certify completion of corrective action was extended for one year (1) to October 21, 2014

(see schedule below). In accordance with Part E.4, the alternative compliance request deadline for the Site at issue is April 21, 2014.

The applicable deadlines under the Individual Permit are summarized as follows:

LA-SMA-21 01-001(f): Validated Sample Received – October 21, 2013  
Adjusted Corrective Action Deadline – October 21, 2014  
Adjusted Alternative Compliance Deadline – April 21, 2014  
Extension Request for Alternative Compliance – October 21, 2014

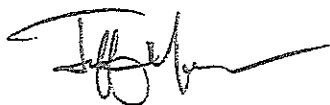
Once the corrective action process is initiated by a TAL exceedance, Los Alamos National Laboratory implements a screening procedure, EP-DIV-SOP-20176, Individual Permit Screening Process for Corrective Action. This screening evaluates existing information pertaining to each Site in a site monitoring area, including, but not limited to, Consent Order data, to provide a corrective action recommendation based on the options provided in Parts E.2(a) through E.2(d) of the Permit.

The screening process also includes a review of the Consent Order status of the Site. The results of the screening process for Site 01-001(f) indicated that corrective action options available in Parts E.2(a) through E.2(d) are not viable despite the recent source removal of PCB-contaminated sediments that was performed under the Consent Order; therefore, an alternative compliance pathway is planned. The results of the screening process also identified the need to coordinate work under the Individual Permit with the additional Consent Order investigation soil and sediment sampling and PCB removal activities planned for 2014–2015. These activities are intended to fully delineate the exceedance and to remove and appropriately dispose of the impacted materials to meet the compliance objectives.

Because of the complexity of ongoing Consent Order investigation and remediation activities at the Site, the Permittees are unable to certify completion of corrective action under Section E.2(a) through E.2(d) of the Individual Permit by the adjusted deadline of October 21, 2014, or the adjusted alternative compliance deadline of April 21, 2014. The Permittees respectfully request that the compliance deadline for submitting an alternative compliance request, along with supporting documentation for the Site, be extended six (6) months until October 24, 2014. The Permittees believe this additional time will enable them to reasonably meet the requirements of the Individual Permit.

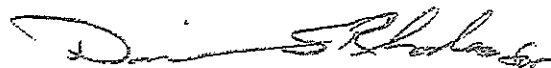
If you have any questions, please contact Steve Veenis at (505) 667-0013 (veen@lanl.gov) or David Rhodes at (505) 665-5325 (david.rhodes@nnsa.doe.gov).

Sincerely,



Jeff Mousseau, Associate Director  
Environmental Programs  
Los Alamos National Laboratory

Sincerely,



Peter Maggiore, Assistant Manager  
Environmental Projects Office  
Los Alamos Field Office

JM/PM/DM/SV/KL:sm

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Renee Ryland, EPA Region 6, Dallas, TX (date-stamped letter emailed)  
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PRS Database with ER ID  
Public Reading Room (hard copy)  
RPF (electronic copy)