NEW MEXICO
ENVIRONMENT DEPARTMENT

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

SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

ERID-525193
EP2014-5333

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

September 23, 2014

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

Jeffrey D. Mousseau
Associate Director, Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS M991
Los Alamos, NM 87545

IRM-RMS, LANL
U1402329

RE: DENIAL OF SECOND EXTENSION REQUEST TO SUBMIT THE INVESTIGATION WORK PLAN FOR LOWER WATER/INDIO CANYON AGGREGATE AREA LOS ALAMOS NATIONAL LABORATORY EPA ID#NM0890010515 HWB-LANL-MISC

Dear Messrs. Maggiore and Mousseau:

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 Work Plan for Lower Water/Indio Canyon Aggregate Area (WP)* dated September 15, 2014 and referenced by EP2014-0445.

The Permittees are requesting a second extension to submit the WP for Lower water/Indio Canyon Aggregate Area. The first extension was granted on Decemher 5, 2011 that moved the submission date from September 30, 2012 to September 30, 2014. NMED has granted extensions based on the Permittees' need to divert resources to remove transuranic waste in accordance with the Framework Agreement. Based on the Permittees' statement that they will not be able to meet the deadlines that they committed to in the Framework Agreement, the request is hereby denied.

NMED is concerned over delays that affect the progress of corrective action. The Permittees are required to submit the WP for Lower Water/Indio Canyon Aggregate Area as previously scheduled on **September 30, 2014**.

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
J. McCann, EP-CAP, MS A992
W. Woodworth, DOE-NA-LA, MS A316

File: Reading and LANL 2014 – Lower Water/Indio Canyon AA WP