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SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
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DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

EP2012-5289

IRM-RMS RECORD CY
U1300222

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 7, 2012

Juan Griego, Acting Manager
Los Alamos Site Office
Department of Energy
3747 W. Jemez Rd., MS-A316
Los Alamos, NM 87544

Michael T. Brandt, Associate Director
Environment, Safety, Health, & Quality
Los Alamos National Security, LLC
Los Alamos Research Park
P.O. Box 1663, MS K491
Los Alamos, NM 87545

RE: OPEN BURN PERMIT MODIFICATION
TECHNICAL AREA 16, UNIT TA-16-388
LOS ALAMOS NATIONAL LABORATORY
EPA ID# NM 0890010515

Dear Messrs. Griego and Brandt:

On November 30, 2010, the New Mexico Environment Department (NMED) Secretary issued a final order to the United States Department of Energy and Los Alamos National Security, LLC, collectively the *Permittees*, renewing the hazardous waste permit for the Los Alamos National Laboratory. The final order denied that part of the Permittees' application for a permit to operate open burn (OB) units TA-16-388 and TA-16-399. On December 21, 2010, the Secretary issued an order (Remand Order) stating that the Permittees could continue to operate the OB units under interim status and remanding the OB application to the NMED Hazardous Waste Bureau to address deficiencies identified in the application.

The Remand Order stated that the Permittees "shall file a full and complete permit application that adequately addresses all deficiencies previously identified in writing and at hearing by the HWB by a date determined by the HWB" and that NMED would confer with the Permittees to determine an appropriate submission date. NMED notes that the Permittees are in the process of closing OB Unit TA-16-399 under interim status closure procedures.

After conferring with the Permittees, NMED has determined that the Permittees shall submit a Class 3 Permit Modification Request (PMR) to add OB unit TA-16-388 to the Permit no later than June 28, 2013. As required by the Remand Order, the Permittees shall submit a full and complete Class 3 PMR, including all referenced documents that are not already in the Administrative Record.

If you have any questions regarding this correspondence, please contact Tim Hall of my staff at 505-222-9555 or at timothy.hall@state.nm.us.

Sincerely,

John E. Kieling
Chief
Hazardous Waste Bureau

JEK/th

cc:

J. Davis, RPD, NMED
J. Kieling, HWB, NMED
T. Hall, HWB, NMED
L. King, EPA 6PD-N
T. Grieggs, ENV-RCRA, LANS, MS-K490
M. Haagenstad, ENV-RCRA, LANS, MS-K404
G. Turner, DOE-LASO, MS-A316

File: Reading and LANL Permit 2012

NAME Deborah Hessen
Z# 082963
DATE 12/10/12

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New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg.1
Santa Fe, New Mexico 87505

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