NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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SUSANA MARTINEZ
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Secretary

BUTCH TONGATE
Deputy Secretary

THOMAS SKIBITSKI
Acting Director
Resource Protection Division

ERID-522016

EP2013-5035

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 7, 2013

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: WITHDRAWAL OF CLASS 2 PERMIT MODIFICATION REQUEST FOR TECHNICAL AREA (TA) 54, BUILDING 38, WEST, LOS ALAMOS NATIONAL LABORATORY
EPA ID# NM 0890010515
LANL-12-075

Dear Messrs. Griego and Brandt:

The New Mexico Environment Department (NMED) has received the U.S. Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) (collectively the Permittees) letter dated February 5, 2013 withdrawing the Class 2 Permit Modification Request (PMR) for Technical Area (TA) 54, Building 38 West.

NMED received the PMR on January 11, 2013. During its review of the PMR, NMED discovered that the submittal was incomplete and requested a meeting with the Permittees to discuss the deficiencies. During a meeting on January 24, 2013, NMED gave the Permittees several examples of deficiencies in the PMR and recommended that the Permittees withdraw the PMR and resubmit a complete permit modification request. The Permittees' withdrawal letter indicates that they intend "to develop and deliver a document that will be as close as possible to the needs that NMED-HWB staff communicated to process the permit modification request." The Permittees must comply with all applicable requirements listed in 40 CFR §270.42(b) when submitting the revised PMR.

NMED recommends that the Permittees conduct a stakeholder pre-submittal meeting and provide a draft PMR to interested stakeholders and NMED prior to resubmitting this Class 2 PMR and also before formal submittal of future permit modification requests. The pre-submittal process will likely resolve many issues with PMRs the Permittees may submit in the future prior to the formal submittal of permit modification requests, which should expedite the permit modification process.

If you have any questions regarding this matter, please contact me at (505) 476-6035.

Sincerely,

John E. Kieling
Chief
Hazardous Waste Bureau

cc: T. Skibitski, NMED
T Hall, NMED HWB
D. Cobrain, NMED HWB
T. Grieggs, ENV-RCRA, LANS, MS-K404
G. Turner, DOE-LASO, MS-A316
M. Haagenstad, ENV-RCRA, LANS, MS-K404

File: LANL-12-075, Reading and LANL Permit 2013