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NEW MEXICO
ENVIRONMENT DEPARTMENT

2905 Rodeo Park Drive East, Building 1
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SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

EP2014-5188

IRM-RMS, LANL
U1401693

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

June 18, 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

U1401693

**RE: THIRD EXTENSION REQUEST
TO SUBMIT THE PHASE II INVESTIGATION REPORT FOR MIDDLE LOS ALAMOS CANYON AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-11-022**

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 Response to the Direction to Modify the Phase II Investigation Report for Middle Los Alamos Canyon Aggregate Area, Revision 1, and Revision 2 of the Report (IR)* dated June 09, 2014 and referenced by EP2014-0246.

The Permittees are requesting a third extension to submit the Phase II IR for Middle Los Alamos Canyon Aggregate Area. The first extension moved the submission date from November 30, 2011 to November 30, 2013 and the second extension moved the submission date to June 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 Permittee is required to submit the IR for Middle Los Alamos Canyon Aggregate Area as previously scheduled on **June 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
B. Wear, NMED HWB
S. Yanicak, NMED DOE OB
L. King, EPA 6PD-N
C. Rodriguez, DOE-NA-LA, MS A316
T. Haagenstad, EP-CAP, MS A992

File: Reading and LANL 2014 – Middle Los Alamos Canyon AA Phase 2 IR

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