ERID-524935

NEW MEXICO
ENVIRONMENT DEPARTMENT

2905 Rodeo Park Drive East, Building 1
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Phone (505) 476-6000 Fax (505) 476-6030
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SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

EP2014-5195

IRM-RMS, LANL
U1401700

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

**RE: SECOND EXTENSION REQUEST
TO SUBMIT THE SUPPLEMENTAL INFORMATION FOR THE BANDELIER TUFF UNITS BACKGROUND STUDY REPORT
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-11-069**

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 Supplemental Information for the Bandelier Tuff Unit 4 Background Study Report* dated June 13, 2014 and referenced by EP2014-0247.

The Permittees are requesting a second extension to submit the Supplemental Information for the Bandelier Tuff Unit 4 Background Study Report (Report). The previous extension moved the submission date from January 30, 2014 to June 14, 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 Report 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
S. Yanicak, NMED DOE OB
L. King, EPA 6PD-N
D. Rhodes, DOE-NA-LA, MS A316
S. Swickley, EP-CAP, MS A992

File: Reading and LANL 2014 – Bandelier Qbt 4 Background Study Report

New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg.1
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DATE 6/20/2014

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Jeffrey D. Mousseau, Associate Director
Environmental Programs
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