ESHID-600118

NEW MEXICO
ENVIRONMENT DEPARTMENT

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SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

December 29, 2014

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

Michael Brandt, Associate Director
Environment, Safety, Health
Los Alamos National Laboratory
P.O. Box 1663, MS K491
Los Alamos, NM 87545

U1500478

**RE: SECOND EXTENSION REQUEST
TO SUBMIT THE INVESTIGATION REPORT FOR STARMER/UPPER
PAJARITO CANYON AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-10-077**

Dear Messrs. Maggiore and Brandt:

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 Investigation Report for Starmer/Upper Pajarito Canyon Aggregate Area* dated December 19, 2014 and referenced by ADESH-14-152. The Permittees request to change the submittal date from December 31, 2014 to January 31, 2018.

The Permittees are requesting a second extension to submit the Investigation Report for Starmer/Upper Pajarito Canyon Aggregate Area (IR). The first extension was granted on June 6, 2012 that changed the submittal date from December 31, 2012 to December 31, 2014.

NMED has granted extensions in the past based on the Permittees' need to divert resources to remove transuranic waste in accordance with the Framework Agreement. The Permittees have stated that they will not be able to meet the deadlines that they committed to in the Framework

Agreement. This IR submittal is required under the Consent Order and is included in the fiscal year 2015 stipulated penalty list.

The extension request is hereby denied. The submittal date for the IR remains as **December 31, 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: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Yanicak, NMED DOE OB
L. King, EPA 6PD-N
W. Woodsworth, DOE-NA-LA, MS A316
K. Rich, EP-CAP, MS A992

File: Reading and LANL 2014 –2nd Extension Rqst for Starmer/Upper Pajarito Canyon IR

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