ESHID-600190

NEW MEXICO
ENVIRONMENT DEPARTMENT

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us

SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

February 3, 2015

U1500694 SI-RMS

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

**RE: FOURTH EXTENSION REQUEST
TO SUBMIT THE RESPONSE TO THE NOTICE OF DISAPPROVAL AND REVISION 1 OF THE INVESTIGATION REPORT FOR WATER CANYON/ CAÑON DE VALLE (SOUTH CANYONS)
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-11-080**

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 Response to the Notice of Disapproval and Revision 1 of the Investigation Report for Water Canyon/Cañon de Valle (South Canyons)* dated January 28, 2015 and referenced by ADESH-15-004. The Permittees request to change the submittal date from January 31, 2015 to January 31, 2016.

The Permittees are requesting a fourth extension to submit the Response to the Notice of Disapproval and Revision 1 of the Investigation Report for Water Canyon/Cañon de Valle (NOD Response). The previous three extensions changed the original submittal date of March 15, 2012, to September 30, 2012, January 31, 2013, and January 31, 2015, respectively. 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. Based on the Permittees' inability to meet the deadlines that they committed to in the Framework Agreement and the previous extension requests, the request for extension is hereby denied.

NMED is concerned over delays that affect the progress of corrective action. The Permittees are required to submit the NOD Response as previously scheduled by **January 31, 2015**. NMED notes that the extension request was submitted on January 28, 2015, three days prior to the due date.

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
C. Rodriguez, DOE-NA-LA, MS A316
S. Veenis, ADEP-CAP, MS A992

File: Reading and LANL 2015 –Extension Rqst. for Water Canyon/Cañon de Valle NOD Response and Revision 1 of IR