ESHID-600193

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

U1500697 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: SECOND EXTENSION REQUEST
TO SUBMIT THE PHASE II INVESTIGATION REPORT FOR UPPER
MORTANDAD CANYON AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-10-092**

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 to Defer Submittal of the Phase II Investigation Report for Upper Mortandad Canyon Aggregate Area* dated January 29, 2015 and referenced by ADESH-15-003.

The Permittees are requesting a second extension to submit the Phase II Investigation Report for Upper Mortandad Canyon Aggregate Area (Report). The previous extension changed the original submittal date of January 31, 2013, to January 31, 2015. 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 request, the request for extension is hereby denied.

NMED is concerned over delays that affect the progress of corrective action. The submittal date for the Report is as previously scheduled, i.e., **January 31, 2015**. NMED notes that the extension request was submitted on January 29, 2015, two 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
K. Rich, ADEP-CAP, MS A992

File: Reading and LANL 2015 –Extension Rqst. for Phase 2 IR for Upper Mortandad Canyon AA