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ESHID-602631

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SEP 2 2 2017

Date:
Symbol: ADESH: 17-068
LA-UR: 17-28136
Locates Action No.: N/A

Mr. John E. Kieling, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Subject: **Settlement Agreement and Stipulated Final Order HWB-14-20, Monthly Progress Report, September 2017**

Dear Mr. Kieling:

This Monthly Report is submitted as required by Paragraph 35 of the Settlement Agreement and Stipulated Final Order HWB-14-20 (SFO) entered into by the New Mexico Environment Department (NMED) (Complainant) and the U.S. Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) (Respondents) on January 22, 2016. Paragraph 35 of the SFO requires the Respondents to keep NMED apprised of progress made on the corrective actions specified in SFO Attachment A on a monthly basis. The enclosed Summary Table reports the current status of all corrective actions for the reporting period from August 1 through August 31, 2017. A presentation of Exhibit F corrective actions was provided to members of your technical team on September 7, 2017 at their request. A summary of the information presented will be submitted as a letter report. Upon delivery of the letter report, all corrective actions agreed upon in the January 22, 2016 *Attachment A to Settlement Agreement and Stipulated Final Order HWB-14-20*, are complete.

The Respondents would be pleased to meet with NMED-Hazardous Waste Bureau personnel to discuss and explain the documentation included herein. If you have comments or questions regarding this submittal, please contact Mark P. Haagenstad (LANS) at (505) 665-2014 or Jordan Arnswald (NA-LA) at (505) 667-6764.

Sincerely,

Michael T. Brandt, DrPH, CIH
Associate Director

Sincerely,

Kimberly Davis Lebak
Manager

MTB/KDL/MPH/SDG: eim:am

Enclosure(s) 1): Settlement Agreement and Stipulated Final Order HWB-14-20, Monthly Status Report for Period Ending August 31, 2017

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Dear Mr. Kieling:

This Monthly Report is submitted as required by Paragraph 35 of the Settlement Agreement and Stipulated Final Order HWB-14-20 (SFO) entered into by the New Mexico Environment Department (NMED) (Complainant) and the U.S. Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) (Respondents) on January 22, 2016. Paragraph 35 of the SFO requires the Respondents to keep NMED apprised of progress made on the corrective actions specified in SFO Attachment A on a monthly basis. The enclosed Summary Table reports the current status of all corrective actions for the reporting period from August 1 through August 31, 2017. A presentation of Exhibit F corrective actions was provided to members of your technical team on September 7, 2017 at their request. A summary of the information presented will be submitted as a letter report. Upon delivery of the letter report, all corrective actions agreed upon in the January 22, 2016 *Attachment A to Settlement Agreement and Stipulated Final Order HWB-14-20*, are complete.

The Respondents would be pleased to meet with NMED-Hazardous Waste Bureau personnel to discuss and explain the documentation included herein. If you have comments or questions regarding this submittal, please contact Mark P. Haagenstad (LANS) at (505) 665-2014 or Jordan Arnswald (NA-LA) at (505) 667-6764.

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

9/20/17

Michael T. Brandt, DrPH, CIH
Associate Director
Environment, Safety, and Health
Los Alamos National Security, LLC
Los Alamos National Laboratory
Operator

Date Signed

9/22/17

Kimberly Davis Lebak
Manager
Los Alamos Field Office
U.S. Department of Energy
Owner/Operator

Date Signed

ENCLOSURE 1

Settlement Agreement and Stipulated Final Order HWB-14-20

Monthly Status Report for

Period Ending August 31, 2017

ADESH: 17-068

LA-UR-17-28136

Date: SEP 2 2 2017

Enclosure 1

Attachment A to Settlement Agreement and Stipulated Final Order HWB-14-20, Monthly Status Report for Period Ending August 31, 2017[i]

Ordered Action no.	Response No.	Topic *(Ordered Action description)*	Response Actions		Documentation to Provide as Evidence of Completion[ii]	Target Completion Date	Actual Completion Date	Status/ Comments
			Complete	In-Progress/ Ongoing[iii]				
1	1.0	No later than 60 days after this Order becomes final, Respondents shall submit to NMED a written report describing any and all actions Respondents have taken to prevent any recurrence of violations described herein. The written report shall include changes to procedures that Respondents have implemented already.	**ACO-1 Written report -** Description of actions Respondents have taken/ will take to prevent recurrence NOTE: Discussion of the following ACO Paragraph 129 response actions will be included in the Written Report		ACO-1 Written report with enclosures noted for ACO 129 below	22-March-16	22-March-16	Completed
1	1.1		**Standing Order for Area G** – Restrict Nitrate Salt waste processing		ADEP Standing Order, "*Restriction on Processing Nitrate Salt*", TA-54 AREA G, EP-AREAG-SO-1242, Rev.0	22-March-16	22-March-16	Completed
1	1.2		**Standing Order for All EWMO Facilities** – Pause ALL legacy TRU waste processing at EWMO-supported facilities		ADEP Standing Order, "*EWMO Legacy TRU Waste Pause*", EP-DIV-SO-20222, R.1	22-March-16	22-March-16	Completed

ADESH: 17-068
LA-UR-17-28136

Ordered Action no.	Response No.	Topic *(Ordered Action description)*	Response Actions		Documentation to Provide as Evidence of Completion[ii]	Target Completion Date	Actual Completion Date	Status/ Comments
			Complete	In-Progress/ Ongoing[iii]				
1	1.3		**Standing Order for All [Laboratory Wide] Waste Generators** – *Waste Treatment Requirements* – Lab-wide requirement for environmental compliance staff involvement in waste processing or treatment project planning		ADESH issued Standing Order, "Waste Treatment Requirements"	22-March-16	22-March-16	Completed
1	1.4		**Centralizing Environmental Compliance activities** within ADESH for LANL		ENV Organization Chart (Before incident) ADESH organization Chart (After incident) Brief summary of how the organizational changes address the violations cited (i.e., how the reorganization intends to fix the problems the previous organization failed to identify/prevent)	22-March-16	22-March-16	Completed
1	1.5		**Introduction of Senior Management Team** with technical background to understand complexity of chemical operations.		ADEP Organization Chart (Before incident) ADEP organization Chart (After incident) Brief summary of how the organizational changes address the violations cited (i.e., how the reorganization intends to fix the problems the previous organization failed to	22-March-16	22-March-16	Completed

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			Complete	In-Progress/ Ongoing[iii]				
					identify/prevent), timeline and bios.			
1	1.6		**Develop Briefing to Senior Management**		Briefing Summary Attendance Metrics	22-March-16	22-March-16	Completed
1	1.7		**Standing Order** for incorporation of Exhibit F ENV review of subcontract scope and requirements for LANL Permit Compliance		Standing Order for *Subcontractor ESH Oversight*, ADESH-SO-004, Rev.0	22-March-16	22-March-16	Completed
1	1.8		**Review** of P1020-2, *Laboratory Document Control*		Memo documenting review of LANL P1020-2 and basis for no revision in regards to ACO requirements.	22-March-16	22-March-16	Completed

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			Complete	In-Progress/ Ongoing[iii]				
1	1.9		**Training** - Education and training of waste management workers (managers, supervisors, technicians, generators) to recognize when processing becomes treatment. The following have been revised and/or developed and delivered to the appropriate audiences: • McCoy's training • DEP/WMC RCRA Compliance training • RCRA Refresher for Waste Managers training • OJT training for TSD inspectors • Waste Generation Overview, Course *23263* • Waste Generation Overview Annual Refresher, Course 21464 • RCRA Personnel Training (Live), Course 7488 • RCRA Refresher, Course 28582		Summary of training completed and training planned McCoy's 2015 RCRA Hazardous Waste Seminar (3-day), Course Summary Waste Management Coordinator (WMC) and ENV Deployed staff (DEP) Environmental Personnel RCRA Compliance Training – Live Briefing (March 25, 2015) - Summary RCRA Refresher for Waste Managers, Course 28426 Waste Generation Overview, Course 23263 Waste Generation Overview Annual Refresher, Course 21464 RCRA Personnel Training (Live), Course 7488 RCRA Refresher, Course 28582 NOTE: The RCRA Refresher for Waste Managers Training -	22-March-16	With the exception of listed In-Progress/Ongoing tasks, Documentation provided as Evidence of completion was provided in the March 22, 2016 SFO Response.	Completed. NOTES: -Subcontractor Technical Representative (STR) Training, Course #45250; has been replaced by P850 STR Initial Training, Course #33757 -Subcontractor Technical Representative (STR) Refresher, Course #46795, has been replaced by P850 STR Annual Refresher, Course #33758. [Exhibit F Briefings were discussed under

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			Complete	In-Progress/ Ongoing[iii]				
					Course 28426 to be included as a requirement for Subcontract Technical Representatives (STRs), as noted in the STR Qualification Standard NOTE: Both RCRA Personnel Training, [Course 7488] and RCRA Refresher, [Course 28582] have been reviewed and revised to bolster the LANL HWF permit detail. Both courses are required training for all Subcontract personnel working on LANL property, as noted in Subcontract Exhibits. LANL Training Analysis for *On-the-Job Training for TSD Inspectors,* Course 27745 – Summary Training Analysis for *RCRA Refresher for Waste Managers,* Course 28426 - Summary			Response no. 1.16]

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			Complete	In-Progress/ Ongoing[iii]				
					Training Analysis for *RCRA Personnel Training,* Course 7488 – Summary Training Analysis for *RCRA Refresher,* Course 28582– Summary Training Analysis for *Waste Generation Overview,* Course *23263*– Summary Training Analysis for *Waste Generation Overview Refresher,* Course 21464 – Summary			

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			Complete	In-Progress/ Ongoing[iii]				
1	1.10		**Waste Profile Form Validation for Mixed and Hazardous Waste** Review of the characterization of all currently active LANL Hazardous waste streams.		A report which identifies the list of active hazardous waste streams reviewed by the generator/ WMC teams and WM Division, with conclusions/ summary	22-March-16	22-March-16	Completed
1	1.11		Evaluation of RCRA Self-Assessment program needs (Compliance Technical Assistance Program or CTAP)		CTAP Evaluation and Gap Analysis Report with Compliance Technical Assistance Program (CTAP) Procedure (ENV-CP-QP-115) as enclosure.	22-March-16	22-March-16	Completed

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			Complete	In-Progress/ Ongoing[iii]				
1	1.12		**Operating Record Validation** - Validation of the LANL Operating Record at all TSDs (TAs 3, 50, 54, 55, 63, 14, 16, 36, 39 permitted and interim status areas walk down).		Summary of *Compliance Technical Assistance Program (CTAP) Procedure (ENV-CP-QP-115) assessments and electronic access to the current document revision upon NMED request. Provide periodic [Semi-annually, or upon NMED request] listing of document(s) revisions.* Summary of P409 Tool, *ADESH-TOOL-803 Facility TSF Operating Record and EWMO RCRA Permit Operating Record and Compliance Programs, EP-DIV-AP-21, R1.LANL to provide electronic access to the current document(s) revision upon NMED request. Provide periodic [Semi-annually, or upon NMED request] listing of document(s) revisions.*	22-March-16	22-March-16	Completed Respondents will provide semi-annual listing of document(s) revisions.
1	1.13		**WCATS Data Change Control** - Implementation of Waste Compliance and Tracking System (WCATS) change control process.		Summary of ENV-RCRA-TOOL-719 *Using WCATS to Submit Change Requests, and electronic access to the current document(s)*	22-March-16	22-March-16	Completed Respondents will provide semi-annual listing of

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			Complete	In-Progress/ Ongoing[iii]				
					revision Provide periodic [Semi-annually, or upon NMED request] listing of document revisions.			document(s) revisions.
1	1.14		**Waste processing procedure review.** Implementation of procedure reviews by ENV-CP. Summary of findings and procedure revisions to date.	Procedure reviews ongoing.	ENV-CP-AP-200, *Regulatory Procedure Review of Waste Management Procedures and electronic access to the current document revision. Provide periodic [Semi-annually, or upon NMED request] listing of document revisions.* ACO-9 response will provide details on number and type of procedures identified and review status.	22-March-16	22-March-16	EPC-CP procedure reviews will continue as new LANL procedures are created or existing ones revised. They are ongoing.
1	1.15		**EOC Review** The non-compliances addressed in the EOC self-disclosure letter are the result of an extensive review of all legacy non-nitrate salt wastes processed under deficient waste management procedures at LANL.		*EOC Self Disclosure Letter - LA-UR-15-26713, DIR-15-127 EOC Completion Letter-(ADESH-15-162) EOC Plan (EP-PLAN-10075, R0) LA-CIN01 Management Plan, (WD-PLAN-20280, R0)*	22-March-16	22-March-16	Completed

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			Complete	In-Progress/ Ongoing[iii]				
			EOC Completion Letter- (ADESH-15-162) Voluntarily reporting of non-compliances associated with MTRU wastes **EOC Plan (EP-PLAN-10075, R0) -** A plan for managing Extent of Condition by evaluating past remediation activities performed on transuranic (TRU) and mixed TRU (MTRU) waste **LA-CIN01 Management Plan, (WD-PLAN-20280, R0)** Defined steps to conservatively manage the LA-CIN01 waste containers and identify and apply appropriate EPA hazardous waste codes.					
1	1.16		Description of actions being taken to strengthen Subcontractors' requirements to follow LANL ES&H policies and requirements through the Exhibit F conditions of their subcontracts. Strengthening of Contract Exhibit F Field Verification	Exhibit F design change will now yield a three-part Exhibit F for Low, Moderate, or High Hazard work. Summary of revisions proposed to strengthen P850 - *Subcontract Technical*	Description of plans to Implement major Exhibit F re-organization to result in three Exhibits.	31 July 17	28 July 17	All planned Exhibit F tasks are complete. Associated Exhibit F logic tables published for use on 28 July 17. Exhibit F sections F0, F1, and F2

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			Complete	In-Progress/ Ongoing[iii]				
			Requirements for environmental risks.	*Representative Procedure training and subcontractor* oversight				released for use on 28 July 17. Completed.
2/3	2/3.1		Submit a Permit Modification Request (PMR) for treatment of Nitrate Salt wastes	PMR	Permit Modification Request	01-July-16	30-June-16 (submitted) 25-July-2016 (approved)	Completed.
2/3	2/3.2	No later than 60 days after this Order becomes final, Respondents shall submit to NMED for review and comments the following: A. Reports on the scientific studies Respondents have conducted regarding LANL nitrate salt waste streams since February 14, 2014. B. The nitrate salt waste treatment options assessment report. C. A Plan to determine treatment methods for the nitrate salt waste streams. The Plan shall include a proposed schedule for submission of the following: i. Sampling and analysis plan for unremediated nitrate salt waste	A. Remediated Nitrate Salt Chemical Reactivity Study B. Nitrate Salt Waste Options Assessment Report C. *Remediation/ Scheduling Plan* as discussed in technical meetings. The Plan shall include referenced plans and a schedule for the surrogate waste test report. NOTE: The response to item C.iii [Final Report on Surrogate Waste Tests (Final Title TBD)] will include UNS and SWERI analytical results.	Final Report on Surrogate Waste Tests	*Chemical Reactivity and Recommended Remediation Strategy for Los Alamos Remediated Nitrate Salt (RNS) Wastes, D. L. Clark, D.J. Funk, LA-UR-15-22393* *Nitrate Salt Options Assessment Report* LA-UR-15-25355 *Remediation/ Scheduling Plan,* including the following: *1. Sampling and Analysis Plan for Unremediated Nitrate Salt Waste, ENV-DO-15-0248, LA-UR-15-26357* *2. Treatment Study Work Plan for Nitrate*	16-May-16 for first set of reports and 01-July-16 for final reports	30-June-16	Completed

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			Complete	In-Progress/ Ongoing[iii]				
		ii. Surrogate waste testing plan iii. Report on surrogate waste tests iv. Safe handling and treatment plan for both remediated and unremediated nitrate salt wastes	NMED requested LA-CIN01.001 Liquid Sampling Information Letter (ENV-DO-15-0313, LA-UR-1528468)		*salt Transuranic (TRU) Wastes* *3. A schedule for the Final Report on Surrogate Waste Tests* (Final Title TBD) *[NOTE: Safe Handling and Treatment Plan for Remediated Nitrate Salt (RNS) and Unremediated Nitrate Salt (UNS) Wastes is addressed under the Remediation/ Scheduling Plan]* NMED requested LA-CIN01.001 Liquid Sampling Information Letter (ENV-DO-15-0313, LA-UR-1528468) with the following attachments: • *List of Containers sampled;* • *List of Containers not sampled, but attempted;* • *List of Containers of Interest;* • *RTR Videos of Containers of Interest;* • *Analytical results*			

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4	4.0	Immediately upon this Order becoming final, Respondents shall begin review of every mixed TRU waste stream which is currently managed or generated at LANL to verify that the characterization of the waste streams is accurate, sufficient, and updated. Respondents shall complete and document their review in the Facility Operating Record within 60 days after this Order becomes final.	**Summary report** describing the MTRU waste stream characterization verification review		Summary report including development of Lessons Learned (to be described in summary report text).	22-March-16	22-March-16	Completed

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			Complete	In-Progress/ Ongoing[iii]				
5	5.0	No later than 15 days after this Order becomes final, Respondents shall submit to NMED for review, the methodology by which Respondents conduct their annual reevaluation of all hazardous waste streams.	**Description of Procedure used for waste streams annual reevaluation**		Summary of WSP Annual Review Methodology per *WCATS User's Manual,* MAN-5004, R3, Sections 4.3.1.4 and 4.2.1.24 Summary of procedure, *Reviewing and Approving Waste Stream Profiles (WPS) in WCATS*, WM-SVS-AP-201 and *WCATS User's Manual* to describe the process to enter new and review WSPs, (Sections 4.2.1 and 4.2.2). Provide electronic access to the current document revision. Provide periodic [Semi-annually, or upon NMED request] listing of document revisions.	06-February-16	03-February-16	Completed Respondents will provide semi-annual listing of document(s) revisions.
6	6.0	No later than 60 days after this Order becomes final, Respondents shall submit to NMED any documentation Respondents have entered in the Facility Operating Record for the most recent, annual reevaluation of all hazardous waste streams at LANL.	**Copy of Operating Record documentation** *(selected WCATS printouts)* for all active RCRA waste stream profiles		Copy of Operating Record documentation *(select WCATS printouts)* for all active RCRA waste stream profiles with • WSP number • Brief description of the waste stream	22-March-16	22-March-16	Completed

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					• Date the WSP was activated • Date of the last annual review The following WCATS fields were discussed among the technical team and the list updated to provide data: • WS_ANCILLARY, • C_MASTER_TRU. MATRIX_CODE, , • WS_COMPOSITIO N, • access to WS_DOCUMENTA TION via the WCATS Application, • access to WS_EDITLOG via the WCATS Application, • relevant summary of WS_EPACODE, • Summary of C_PARAMETER at WSP level, • WS_WORKPATH – active options, • relevant summary of C_SHIPDESC.HM_ ID- >DOT_HAZMAT.D OT_ID_NO,			READ-ONLY access to WCATS through a

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					• Relevant summary of WS_CHAR_METHOD, READ-ONLY access to WCATS provided to NMED staff through a LANL WCATS navigator, upon NMED request.			LANL WCATS navigator will be provided to NMED staff upon NMED request.
7	7.0	No later than 60 days after this Order becomes final, Respondents shall develop and submit to NMED procedures to implement an AK communication system within and between appropriate LANL organizations, including subcontractors, to ensure that AK documentation is accurate, sufficient, and updated.	**Description of procedure(s) for AK communication system,** internal and external by establishing a Waste Characterization and Processing Review Process • To review waste stream profiles, associated documentation, waste processing procedures and address complex waste management issues. • To establish communication systems and protocol to ensure AK documentation is accurate, sufficient, and updated. • To include provisions to ensure/ strengthen communication of AK		Copy of WM-AP-0005, *Waste Characterization and Processing Review*	22-March-16	22-March-16	Completed

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			Complete	In-Progress/ Ongoing[iii]				
			information between subcontractors, LANL Subcontract Technical Representatives (STRs) and appropriate LANL organizations.					
8	8.0	No later than 60 days after this Order becomes final, Respondents shall revise and submit to NMED the CCP/LANL interface agreement to ensure appropriate organizations and subject matter experts communicate effectively and timely regarding changes in waste management procedures, waste generation, waste treatment, waste repackaging and remediation, waste stream delineation, and waste characterization procedures to ensure that AK documentation is accurate, sufficient, and updated.	Status report on CCP/LANL interface agreement revisions	Ongoing active participation in CCP IA development	Copy of CCP/LANL Interface Agreement [revised, approved]	22-March-16	22-March-16	Completed
9	9.0	No later than 60 days after this Order becomes final, Respondents shall revise and submit to NMED procedures and/or policies that ensure the proper LANL organizations and subject matter experts review and	**Description of Process(es) for appropriate review of procedures** that have waste management aspects or impacts** (See list under *Documentation*)		Summary of [revised] policies and/or procedure(s) that have SME review and approval of proposed waste management	22-March-16	22-March-16	Completed

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		then approve or reject proposed waste management procedural changes.	• Reference to Waste Characterization and Processing Review process used to resolve difficult waste technical issues		aspects or impacts, including:
					• Summary of revised P409 *Waste Management*
					• ADEP *Technical Procedure Development*, EP-AP-10007, R0;
					• ENV-CP-AP-200 *Regulatory Procedure Review of Waste Management Procedures*; and
					• ADEP *Document Control,* EP-AP-10001, R0
					• *Waste Characterization and Processing Review, WM-AP-0005,* and
					• *Summary of Revised P409 – associated Tools*
					  • ADESH-IG-TOOL-101 – Waste Management Glossary
					  • ADESH-AP-TOOL-111 – Waste Characteriz-ation
					  • ADESH-AP-TOOL-115			

Ordered Action no.	Response No.	Topic *(Ordered Action description)*	Response Actions		Documentation to Provide as Evidence of Completion[ii]	Target Completion Date	Actual Completion Date	Status/ Comments
			Complete	In-Progress/ Ongoing[iii]				
					Waste Compatibility • ADESH-AP-TOOL-206 – Hazardous Waste (General) • ADESH-AP-TOOL-300 – Radioactive Waste Management • ADESH-AP-TOOL-314 – Radioactive Waste Characteriz-ation • ADESH-AP-TOOL-803 – Facility Operating Record • ADESH-AP-TOOL-810 – Waste Processing at Permitted Units • ADESH-AP-TOOL-901 – Elementary Neutralization • ADESH-AP-TOOL-902 – Absorption			Respondents will provide semi-annual

Ordered Action no.	Response No.	Topic *(Ordered Action description)*	Response Actions		Documentation to Provide as Evidence of Completion[ii]	Target Completion Date	Actual Completion Date	Status/ Comments
			Complete	In-Progress/ Ongoing[iii]				
					without a Permit • ADESH-AP-TOOL-906 – Treatment by the Waste Generator Electronic access to the current document(s) revision will be provided upon NMED request. LANL will provide periodic [Semi-annually, or upon NMED request] listing of document revisions.			listing of document(s) revisions.
9	9.1		Description of Revisions to P300, *Integrated Work Management*		Memorandum documenting review and evaluation. Evaluation results indicate no revision required to address violations.	22-March-16	22-March-16	Completed
9	9.2		Revise TA-55 Procedures to incorporate ENV-CP reviews		*Technical Procedure Use and Development Process, PA-AP-01016*	22-March-16	22-March-16	Completed

Ordered Action no.	Response No.	Topic *(Ordered Action description)*	Response Actions		Documentation to Provide as Evidence of Completion[ii]	Target Completion Date	Actual Completion Date	Status/ Comments
			Complete	In-Progress/ Ongoing[iii]				
9	9.3		Define process for TA-54 Procedures to incorporate ENV-CP reviews		*ADEP Technical Procedure Development, ER-AP-10007, R0*	22-March-16	22-March-16	Completed
9	9.4		Revise WETF Procedures to incorporate ENV-CP reviews		*Document Development, WETF-AP-10, Rev. H*	22-March-16	22-March-16	Completed
Other	Other				Monthly reports	Monthly, on 22nd of each month	Monthly, on or before the 22nd of each month (all reports to date)	Ongoing

[i] *Rows shaded in BLUE indicate response actions with changes during the previous month (changes are reported in the "Status/Comments" column). No shading means no changes.*

ii Some items being submitted as "Evidence of Completion" will not be "approved" by NMED (e.g., those subject to NMED review and comment); however, pursuant to paragraph 49 of the Settlement Agreement, if NMED disapproves any timely submission required by the Ordered Actions (e.g., response action), NMED shall identify the specific reason(s) for the disapproval, and the Respondent shall have the opportunity to correct any deficiencies and supplement the submission.

iii Ongoing Actions as of March 22, 2016 are listed in the In-Progress/Ongoing Actions column.