



U.S. DEPARTMENT OF ENERGY

National Nuclear Security Administration

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Environmental Management

Los Alamos Field Office
1200 Trinity Drive, Suite 400P
Los Alamos, New Mexico 87544
(240) 562-1122

Date: October 6, 2025

Mr. JohnDavid Nance, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6313

Subject: Intent to Appeal September 9, 2025, Fee Assessment Los Alamos National Laboratory, EPA ID# NM0890010515

Dear Mr. Nance:

This letter and the attached documentation provide notice to the New Mexico Environment Department (NMED) of the Permittees' intent to appeal the fee assessment invoice associated with the July 10, 2025; General Part A and B Resource Conservation and Recovery Act (RCRA) Permit Renewal Application received on September 9, 2025. The Permittees consist of the United States Department of Energy (DOE) and its field offices, the National Nuclear Security Administration, Los Alamos Field Office (NA-LA) and the Environmental Management, Los Alamos Field Office (EM-LA), together with Triad National Security, LLC (Triad) and Newport News Nuclear BWXT-Los Alamos, LLC (N3B). The New Mexico Administrative Code (NMAC) at 20.4.2.302 allows for the appeal of an invoice within 30 days of receipt.

The Permittees respectfully request the NMED to issue a revised invoice correcting Invoice # - HWB-LANL-20-001 to reflect the revisions provided in Attachment 1. Attachment 1 includes a table that provides the quantity of each type of unit/section under the "Item Quantity" column as presented by the Permittees and the proposed revised fee based on the "Fee for Renewal or Modification to add a unit" column of Table 2 – Application and Corrective Action Section Fees at 20.4.2.205 NMAC. Table 2 at 20.4.2.205 NMAC is discussed in 20.4.2.201.D NMAC, which addresses permit renewals. Attachment 2 includes a full list of units with a count of each type of unit/section at Los Alamos National Laboratory for completeness and comparison to the proposed invoice amount. Per Permit Section 1.4.1, *Effect of this Permit on Interim Status Units*, closure plans for interim status Subpart X units and storage units that are to be closed under interim status were submitted in 2011 (see NMED Administrative Record #s 34627, 34628, 34629, & 34631). While these units are included within Permit Attachment J, Table J-1, *Active Portion of the Facility*, they are not included within the Renewal Application; therefore, a fee should not be assessed for them under this regulatory purview.

The requested changes result in a net decrease of \$2,249,000 in the assessed fee and include:

- a corrected count of container storage units, treatment in containers units, and Subpart X units;
- use of the permit renewal fee for items being renewed within the Permit (per 20.4.2.205 NMAC); and
- use of the permit fee for new units applicable to be added to the Permit (per 20.4.2.205 NMAC).

The Permittees welcome the opportunity to confer with NMED to address any questions related to the proposed changes to the Permit Renewal Application invoice.

If you have questions or comments for NA-LA concerning this submittal, please contact Robert A. Gallegos at (208) 569-0377.

If you have questions or comments for Triad concerning this submittal, please contact Naveen Chennubhotla at (505) 629-7401.

If you have questions or comments for EM-LA concerning this submittal, please contact Brian Harcek at (505) 692-4261.

If you have questions or comments for N3B concerning this submittal, please contact Christian Maupin at (505) 695-4281.

Sincerely,

**THEODORE
WYKA**
Theodore A. Wyka
Manager
U.S. Department of Energy
National Nuclear Security Administration
Los Alamos Field Office

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Date: 2025.10.06 10:08:24
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Sincerely,

**JESSICA
KUNKLE**
Jessica M. Kunkle
Manager
U.S. Department of Energy
Environmental Management
Los Alamos Field Office

Digitally signed by
JESSICA KUNKLE
Date: 2025.09.29 16:44:55
-06'00'

Attachments: 1) Requested Changes to Invoice # - HWB-LANL-20-001

2) Listing of Units Included in Permit Renewal Application

copy w/enclosures:

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The requested changes result in a net decrease of \$2,249,000 in the assessed fee and include:

ATTACHMENT 1

Requested Changes to Invoice # - HWB-LANL-20-001

Date: October 6, 2025

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Requested Changes to Invoice # - HWB-LANL-20-001

Item Quantity	Quantity Item	Proposed Renewal or Permit Fee	Permittee Proposed Total	NMED Invoiced Total	Comment
N/A	Additional SWMU / AOC Unit Fee	\$0	\$0	\$1,820,000	No addition to SWMUs or AOCs in application
1	Corrective Action Section	\$7,000	\$7,000	\$10,000	Permit Part 11
20	Treatment in Containers - Renewal or Modification	\$96,000	\$1,920,000	\$1,728,000	Storage/treatment units and 55 stabilization unit
N/A	Treatment in Containers	\$0	\$0	\$144,000	No new treatment units
26	Storage in Containers - Renewal or Modification	\$96,000	\$2,496,000	\$2,688,000	All storage/treatment units and storage only units
N/A	Storage in Containers	\$0	\$0	\$144,000	No new storage units
1	Storage in Tanks - Renewal or Modification	\$96,000	\$96,000	\$144,000	Tank storage renewal
N/A	Subpart X - Renewal or Modification	\$0	\$0	\$240,000	No Subpart X units for renewal
3	Subpart X	\$120,000	\$360,000	\$120,000	Addition of Subpart X units in application
3	Land Disposal - Renewal or Modification	\$180,000	\$540,000	\$360,000	Material Disposal Areas G, H & L
N/A	Land Disposal		\$0	\$270,000	No new land disposal units
54			\$5,419,000	\$7,668,000	Proposed net change to fee: \$2,249,000

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ATTACHMENT 2

Listing of Units Included in Permit Renewal Application

Date: October 6, 2025

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Listing of Units Included in Permit Renewal Application

Unit Type	Count	Name
S01	1	Technical Area 3, Building 29, Container Storage Unit
S01	2	Technical Area 50, Building 69, Indoor Container Storage Unit
S01	3	Technical Area 50, Building 69, Outdoor Pad
S01	4	Technical Area 54 West, Building 38, Container Storage Unit (TA-54-38)
S01	5	Technical Area 54, West, Outdoor Container Storage Unit
S01	6	Technical Area 55, Building 4, Container Storage Unit, B40
S01	7	Technical Area 55, Building 4, Container Storage Unit, B05
S01	8	Technical Area 55, Building 4, Container Storage Unit, K13
S01	9	Technical Area 55, Building 4, Container Storage Unit, B45
S01	10	Technical Area 55, Building 4, Container Storage Unit, B13
S01	11	Technical Area 55, Building 4, Container Storage Unit, G12
S01	12	Technical Area 55, Building 4, Container Storage Unit, Vault
S01	13	Technical Area 55, 0355 Pad
S01	14	Technical Area 55, Outdoor Storage Pad
S01	15	Technical Area 60, Building 17, Container Storage Unit
S01	16	Technical Area 63, TWF
S01	17	Technical Area 54, Area G, Pad 1, Container Storage Unit
S01	18	Technical Area 54, Area G, Pad 3, Container Storage Unit
S01	19	Technical Area 54, Area G, Pad 5, Container Storage Unit
S01	20	Technical Area 54, Area G, Pad 6, Container Storage Unit
S01	21	Technical Area 54, Area G, Pad 9, Container Storage Unit
S01	22	Technical Area 54, Area G, Pad 10, Container Storage Unit
S01	23	Technical Area 54, Area G, Pad 11, Container Storage Unit
S01	24	Technical Area 54, Area G, Storage Shed 8, Container Storage Unit
S01	25	Technical Area 54, Area G, Building 33, Container Storage Unit
S01	26	Technical Area 54, Area L, Container Storage Unit
S01	26	Storage in Containers
S02	1	TA-55 Storage in Tanks
S02	1	Storage in Tanks
T04	1	TA-55 Treatment by Stabilization
T04	2	Technical Area 50, Building 69 Indoor Unit Treatment in Containers
T04	3	TA-54, Area G, Pad 9, Dome 231 Perma-Con Treatment in Containers and Macroencapsulation
T04	4	TA-54, Area G, Pad 1, Building 412 Treatment in Containers and Macroencapsulation
T04	5	TA-54, Area G, Pad 11, Dome 375 Treatment in Containers and Macroencapsulation
T04	6	TA-3-29 Macroencapsulation
T04	7	TA-50-69 Outdoor Pad Macroencapsulation
T04	8	TA-54 Area G Pad 3 Macroencapsulation
T04	9	TA-54 Area G Pad 5 Macroencapsulation
T04	10	TA-54 Area G Pad 6 Macroencapsulation
T04	11	TA-54 Area G Pad 10 Macroencapsulation
T04	12	TA-54 Area G TA-54-33 Macroencapsulation
T04	13	TA-54 Area L Outdoor Pad Macroencapsulation
T04	14	TA-54-38 West Outdoor Pad Macroencapsulation
T04	15	TA-55-4, B40 Macroencapsulation
T04	16	TA-55-4, B45 Macroencapsulation
T04	17	TA-55-4 Outdoor Storage Pad Macroencapsulation
T04	18	TA-55-355 Pad Macroencapsulation
T04	19	TA-60, Building 17 Macroencapsulation
T04	20	TA-63 Transuranic Waste Facility Macroencapsulation
T04	20	Treatment in Containers
X01	1	TA-16-388 Flash Pad
X01	2	TA-36-8, Minie Detonation Unit

Listing of Units Included in Permit Renewal Application

Unit Type	Count	Name
X01	3	TA-39-6, Point 6 Detonation Unit
X01	3	Subpart X
D80	1	TA-54 "G," unspecified pits, shafts, or trenches
D80	2	TA-54 "H," unspecified pits, shafts, or trenches
D80	3	TA-54 "L," unspecified pits, shafts, or trenches
D80	3	Land Disposal
Other	1	Corrective Action Section
Other	1405	SWMUs and AOCs located at the Facility
Other	1	Corrective Action Section