



ESHID-603786

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JAMES C. KENNEY
CABINET SECRETARY

August 17, 2023

Theodor Wyka, Manager
National Security Administration
Los Alamos National Laboratory
3747 West Jemez Road, A 316
Los Alamos, NM 87544

Michael Mikolanis, Manager
DOE Environmental Management
Los Alamos Field Office
1200 Trinity Drive, Suite 400
Los Alamos, NM 87545

**RE: APPROVAL
CLASS 1 PERMIT MODIFICATION REQUEST TO AMEND THE CLOSURE PLAN SCHEDULE FOR
TECHNICAL AREA 16-399 OPEN BURN UNIT, REVISION 2.1
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-23-050**

Dear Theodore Wyka and Michael Mikolanis:

The New Mexico Environment Department (NMED) has reviewed the United States Department of Energy (DOE) and the Triad National Security, LLC. (Triad) (collectively the Permittees) *Class 1 Permit Modification Request to Amend the Closure Plan Schedule for Technical Area 16-399 Open Burn Unit, Revision 2.1* (Extension Request) dated and received August 7, 2023, referenced by EPC-DO-23-260-/LA-UR-23-28963.

On September 6, 2022, NMED issued an Approval with Modifications to a Class 2 Permit Modification Request to Amend the Closure Plan for 16-399 Burn Tray and revising the 180-day deadline for the Permittees to complete closure activities from December 6, 2022, to March 4, 2023.

On March 8, 2023, NMED approved a Class 1 with Prior Approval Request to Amend the Closure Plan for 16-399 Burn Tray to extend the deadline for the Permittees to complete closure activities from March 5, 2023, to September 5, 2023.

NMED has reviewed the proposed activities in accordance with the requirements in 40 Code of Federal Regulations (CFR) §265.113(b) and (c), as well as §270.42 Appendix I, Item D.1.b. The Permittees have submitted this request to continue confirmation sampling and to coordinate the staging and removal of contaminated soil. NMED finds the request reasonable since it will result in the clean-up of contaminants from the unit, ensuring better protection of human health and the environment.

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Hazardous Waste Bureau - 2905 Rodeo Park Drive, Bldg. 1, Santa Fe, New Mexico 87505 - (505) 476-6000
www.env.nm.gov

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NMED issues this approval of the 60-day Extension Request. The revised certification report is **due to NMED on or before November 17, 2023**. Please keep NMED apprised of the progress of sampling and excavation efforts of the contaminated sediments.

As a reminder, two hard copies of the revised closure certification report and one electronic copy, including analytical data must be submitted to NMED. As part of the summary that accompanies the report, the Permittees must also include: a table of revisions, a summary documenting corrective action activities at the unit, including photos; and a redline strikeout of the revised certification report (in both the electronic and hardcopy).

If you have any questions regarding this letter, please contact Siona Briley at (505) 690-5160 or via email at siona.briley@env.nm.gov.

Sincerely,

Ricardo Maestas

Digitally signed by Ricardo
Maestas
Date: 2023.08.17 13:55:15 -06'00'

Ricardo Maestas
Acting Chief
Hazardous Waste Bureau

cc:

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File: 2023 LANL, Permit, Approval of Extension Request to Provide Revised Closure Certification
Report OB Unit 16-399
LANL-23-050