



**NEW MEXICO
ENVIRONMENT DEPARTMENT**



Hazardous Waste Bureau

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

DAVE MARTIN
Secretary

RAJ SOLOMON, P.E.
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 22, 2011

Kevin Smith, Manager
Los Alamos Site Office
3747 West Jemez Road, Mail Stop A316
Los Alamos, New Mexico 87544

Michael R. Anastasio, Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, New Mexico 87545



IRM RMMSO Record Copy

**RE: HEARING FEE ASSESSMENT
LOS ALAMOS NATIONAL LABORATORY, EPA ID #NM0890010515
HWB-LANL-2010-HF**

Dear Mr. Smith and Dr. Anastasio:

On November 30, 2010 the New Mexico Environment Department (NMED) Secretary issued a final decision on the Los Alamos National Laboratory Hazardous Waste Facility Permit (Permit), having convened a public hearing during April and May 2010. The New NMED must therefore assess fees pursuant to 20.4.2.203.A(6) NMAC.

NMED previously invoiced the Department of Energy and Los Alamos National Security, LLC (the Applicants), in a letter dated November 4, 2009, for the hearing fee of \$20,000 in accordance with 20.4.2.203.A(1) NMAC. The attached invoice is the assessment for fees pursuant to 20.4.2.203.A(6) NMAC.

NMED will credit the invoice against the FY2011 LANL Memorandum of Agreement (MOA). This will exhaust the funds submitted under the MOA, leaving a balance due for the difference. The attached invoice indicates the difference that is due.

Payment is due within sixty (60) calendar days from the date that you receive the invoice in accordance with 20.4.2.301.C NMAC. If you disagree with the fee assessed, you may notify the

Mr. Smith and Dr. Anastasio
February 22, 2011
Page 2

NMED in writing, at the address above, of the intent to appeal the invoice under the provisions of 20.4.2.302.A NMAC.

If payment is by check, then you must provide the invoice number on the check. If payment is transmitted electronically, then you must submit a letter to Mr. James Valdez, NMED Hazardous Waste Bureau, indicating the invoice number, payment amount, and the assessed activity prior to transferring funds.

Please contact John Kieling at (505) 476-6035 should you have any questions regarding this matter.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB
J. Valdez, NMED HWB
G. Turner, NNSA LASO, MS A316
A. Grieggs, LANL, MS J978
C. Maze, LANS, MS M992
File: LANL 2011 and Reading

LANL Permit Hearing

20.4.2.203(3): Facility Fees	SFCC	\$	4,500.00
20.4.2.203(3): Facility Fees	Pojoaque Pueblo	\$	1,175.63
20.4.2.203(3): Facility Fees	Central NMCC	\$	1,320.00
20.4.2.203(3): Facility Fees	TSAY Corporation (Ohkay Casino)	\$	1,539.71
20.4.2.203(3): Facility Fees	Courtyard by Marriott	\$	1,620.94
20.4.2.203(3): Facility Fees	UNM	\$	472.50
	Total Facility Fees	\$	10,628.78

20.4.2.203(4): Recording/Transcription Fees	Kathy Townsend	\$	50,476.20
	Total Recording/Transcription Fees	\$	50,476.20

20.4.2.203(5): Translation Fees	Southwest Sound and Video	\$	53,114.29
	Total Translation Fees	\$	53,114.29

20.4.2.203(6): Miscellaneous	Joseph Alarid	\$	48,606.94
20.4.2.203(6): Miscellaneous	Lindsay A. Lovejoy, Jr	\$	89,568.37
20.4.2.203(6): Miscellaneous	AQS	\$	37,966.13
20.4.2.203(6): Miscellaneous	Techlaw	\$	11,279.56
20.4.2.203(6): Miscellaneous	James Werner	\$	10,773.83
20.4.2.203(6): Miscellaneous	ASTM International	\$	5,498.40
20.4.2.203(6): Miscellaneous	Copy Shack	\$	13.00
20.4.2.203(6): Miscellaneous	Santa Fe New Mexican	\$	3,268.34
20.4.2.203(6): Miscellaneous	The Taos News	\$	92.42
20.4.2.203(6): Miscellaneous	Los Alamos Monitor	\$	1,636.77
20.4.2.203(6): Miscellaneous	Albuquerque Journal	\$	1,772.58
20.4.2.203(6): Miscellaneous	Rio Grande Sun	\$	1,918.45
	Total Miscellaneous	\$	212,394.79

LANL Permit Hearing Expenditures	\$	326,614.06
Hearing Fee Assesment: HWB-LANL-09-058	\$	(20,000.00)
Total LANL Permit Hearing Fees	\$	306,614.06

Remaining Supplemental Fees: HWB-LANL-FFY11 **\$ (232,039.71)**

Balance Due to NMED: HWB-LANL-2010-HF **\$ 74,574.35**

LANL SUPPLEMENTAL FEE AGREEMENT INVOICE SUMMARY FY11

Invoice #	Date Invoiced	Date Received	Amount Invoiced	Amount Received	Applied Credits
FY11 July 1, 2010 - June 30, 2011					
HWB-LANL-FFY11	September 2, 2010		\$ 1,328,541.12		
HWB-LANL-FFY11-R	October 13, 2010	10/27/2010	\$ 1,316,739.71	\$ 1,316,739.71	
HWB-LANL-10-046	July 8, 2010				\$ 2,000.00
HWB-LANL-2010-AF	October 1, 2010				\$ 388,200.00
HWB-LANL-10-047	July 8, 2010				\$ 500.00
HWB-LANL-10-048	July 8, 2010				\$ 2,500.00
HWB-LANL-10-049	July 16, 2010				\$ 39,000.00
HWB-LANL-10-050	October 18, 2010				\$ 2,000.00
HWB-LANL-10-051	October 18, 2010				\$ 2,000.00
HWB-LANL-10-052	August 17, 2010				\$ 41,000.00
HWB-LANL-10-053	October 18, 2010				\$ 2,500.00
HWB-LANL-10-055	August 20, 2010				\$ 3,000.00
HWB-LANL-10-056	August 20, 2010				\$ 12,500.00
HWB-LANL-10-058	August 20, 2010				\$ 500.00
HWB-LANL-10-059	August 20, 2010				\$ 500.00
HWB-LANL-10-060	August 20, 2010				\$ 500.00
HWB-LANL-10-061	August 20, 2010				\$ 10,000.00
HWB-LANL-10-062	August 26, 2010				\$ 500.00
HWB-LANL-10-063	August 26, 2010				\$ 500.00
HWB-LANL-10-064	August 25, 2010				\$ 2,000.00
HWB-LANL-10-065	August 25, 2010				\$ 2,000.00
HWB-LANL-10-066	August 26, 2010				\$ 2,000.00
HWB-LANL-10-068	August 27, 2010				\$ 2,000.00
HWB-LANL-10-069	September 1, 2010				\$ 500.00
HWB-LANL-10-070	September 2, 2010				\$ 139,000.00
HWB-LANL-10-071	September 2, 2010				\$ 77,000.00
HWB-LANL-10-072	September 10, 2010				\$ 500.00
HWB-LANL-10-073	September 10, 2010				\$ 500.00
HWB-LANL-10-074	September 10, 2010				\$ 7,500.00
HWB-LANL-10-075	September 23, 2010				\$ 2,000.00
HWB-LANL-10-076	October 8, 2010				\$ 15,000.00
HWB-LANL-10-077	October 12, 2010				\$ 86,000.00
HWB-LANL-10-078	November 13, 2010				\$ 2,000.00
HWB-LANL-10-079	November 10, 2010				\$ 2,000.00
HWB-LANL-10-080	November 10, 2010				\$ 37,000.00
HWB-LANL-10-081	December 9, 2010				\$ 2,000.00
HWB-LANL-10-082	November 10, 2010				\$ 7,500.00
HWB-LANL-10-083	November 10, 2010				\$ 8,000.00
HWB-LANL-10-084	December 6, 2010				\$ 500.00
HWB-LANL-10-085	December 6, 2010				\$ 500.00
HWB-LANL-10-086	December 6, 2010				\$ 2,000.00
HWB-LANL-10-087	December 6, 2010				\$ 65,000.00
HWB-LANL-10-088	December 6, 2010				\$ 500.00
HWB-LANL-10-089	December 7, 2010				\$ 2,000.00
HWB-LANL-10-090	December 7, 2010				\$ 500.00
HWB-LANL-10-091	December 7, 2010				\$ 500.00
HWB-LANL-10-092	December 9, 2010				\$ 40,000.00
HWB-LANL-10-093	December 9, 2010				\$ 2,000.00
HWB-LANL-10-094	December 9, 2010				\$ 2,000.00
HWB-LANL-10-095	December 9, 2010				\$ 2,000.00
HWB-LANL-10-096	December 17, 2010				\$ 500.00
HWB-LANL-10-100	January 10, 2011				\$ 15,000.00
HWB-LANL-10-101	January 10, 2011				\$ 10,000.00
HWB-LANL-10-102	January 13, 2011				\$ 1,000.00

HWB-LANL-10-103	January 11, 2011				\$ 500.00
HWB-LANL-11-001	January 14, 2011				\$ 2,000.00
HWB-LANL-11-002	January 27, 2011				\$ 5,000.00
HWB-LANL-10-098	February 1, 2011				\$ 1,000.00
HWB-LANL-10-099	February 1, 2011				\$ 12,000.00
HWB-LANL-10-104	February 7, 2011				\$ 14,000.00
HWB-LANL-11-003	February 8, 2011				\$ 2,000.00
HWB-LANL-11-004	February 8, 2011				\$ 2,000.00
HWB-LANL-2010-HF	February 14, 2011				\$ 232,039.71
HWB-LANL-2010-HF	February 14, 2011		\$ 74,574.35		
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
Total Invoices for			\$ 1,391,314.06	\$ 1,316,739.71	\$ 1,316,739.71

**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT**



**IN THE MATTER OF THE REVISED DRAFT
HAZARDOUS WASTE FACILITY PERMIT FOR
LOS ALAMOS NATIONAL LABORATORY**

HWB 09-37 (P)

ORDER ESTABLISHING HEARING DATE

The hearing in this matter will begin April 5, 2010.

A Hearing Officer will be designated at a later time to conduct a hearing and make a recommended decision to the Secretary of Environment. The Hearing Officer may enter subsequent scheduling orders modifying all dates.



RON CURRY, Secretary



**New Mexico
Environment Department
Hazardous Waste Bureau**

Los Alamos National Lab
P O Box 1663
MS-M992
Los Alamos, NM 87545
Attn: Cindy Maze

October 28, 2009

Invoice # - HWB-LANL-09-058
Hearing Fee Assessment for the Revised Draft LANL Permit

Quantity	Item	Item Cost	Total Cost
1	Hearing Fee	\$20,000.00	\$20,000.00
		Total Fees	\$20,000.00
		Adjustment	\$0.00
		Pay This Amount	\$20,000.00

PAID BY
SUPPLEMENTAL
FEE AGREEMENT
October 28, 2009

Make Checks Payable to: NMED/HWB

Mail Checks and Invoice to:

New Mexico Environment Department, HWB
Attn: James Valdez
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505

State of New Mexico Use Only:

Date Received: _____
Check Number: _____
Amount Received: _____



BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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



RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 4, 2009

Donald L. Winchell, Jr., Manager
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

James C. Cantwell, Associate Director
Associate Directorate Environment, Safety, Health,
& Quality
Los Alamos National Laboratory
Los Alamos Research Park
4200 Jemez Road, Suite 400
Los Alamos, NM 87544

**RE: HEARING FEE ASSESSMENT
REVISED DRAFT HAZARDOUS WASTE PERMIT FOR LOS ALAMOS
NATIONAL LABORATORY, EPA ID# NM0890010515
LANL-09-058**

Dear Messrs. Winchell and Cantwell:

On September 30, 2009, New Mexico Environment Department (Department) Secretary Ron Curry signed a *Order Establishing Hearing Date, HWB 09-37(P)* (copy attached), in the matter of the Revised Draft Hazardous Waste Facility Permit for Los Alamos National Laboratory (LANL).

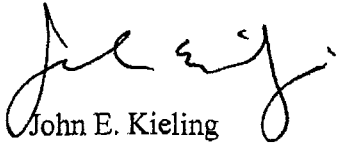
Pursuant to 20.4.1.203.A.(1) NMAC, "the applicant shall be invoiced a hearing fee of twenty thousand dollars within 30 days of notification by the secretary that a hearing will be scheduled."

The Department has recently received payment of the fee agreement towards the FY2010 MOA from LANL. The Department will charge the hearing fee against the FY2010 MOA fee agreement. The "paid" invoice is attached to this letter. If you disagree with the fee assessed, you may notify the NMED in writing, at the address above, of the intent to appeal the invoice under the provisions of 20.4.2.302.A NMAC.

Messrs. Winchell and Cantwell
November 4, 2009
Page 2

If you have any questions regarding this letter, please contact me at (505) 476-6035.

Sincerely,



John E. Kieling
Manager
Permits Management Program
Hazardous Waste Bureau

cc: J. Bearzi, NMED HWB
C. deSaillan, NMED OGC
G. Rael, LASO NNSA, MS A316
G. Turner, NNSA LASO MS A316
A. Grieggs, LANS MS J978
V. George, LANS, MS J978
File: LANL 2009 and Reading
LANL-09-058



**New Mexico
Environment Department
Hazardous Waste Bureau**

Los Alamos National Lab
P O Box 1663
MS-M992
Los Alamos, NM 87545
Attn: Cindy Maze

February 22, 2011

Invoice # - HWB-LANL-2010-HF
LANL 2010 Hearing Fee

Quantity	Item	Item Cost	Total Cost
1	Remaining Supplemental Fees	(\$232,039.71)	(\$232,039.71)
1	HWB-LANL-09-058	(\$20,000.00)	(\$20,000.00)
1	LANL Hearing Fee	\$326,614.06	\$326,614.06
		Total Fees	\$74,574.35
		Adjustment	\$0.00
		Pay This Amount	\$74,574.35

Make Checks Payable to: NMED/HWB

Mail Checks and Invoice to:

**New Mexico Environment Department, HWB
Attn: James Valdez
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505**

State of New Mexico Use Only:

Date Received: _____

Check Number: _____

Amount Received: _____

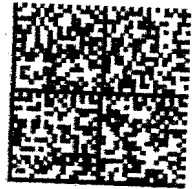
State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

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Hasler

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\$05.710

02/22/2011

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US POSTAGE

Los Alamos National Laboratory
Attn: Michael R. Anastasio, Director
P.O. Box 1663, MS A100
Los Alamos, NM 87545 *MS-A-150*



NAME Loreen Montoya
Z# 086365
DATE 2-24-11

11 FEB 24 AM 10:46:55