



**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

BUTCH TONGATE
Deputy Secretary

JAMES H. DAVIS, Ph.D.
Director
Resource Protection Division

EP2012-5284

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 20, 2012

Peter Maggiore
Assistant Manager
U.S. Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Rd, MS A316
Los Alamos, NM 87544

Jeffrey D. Mousseau
Associate Director Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS M991
Los Alamos, NM 87545

**RE: EXTENSION REQUEST TO SUBMIT THE
PHASE II INVESTIGATION REPORT FOR
UPPER LOS ALAMOS CANYON AGGREGATE AREA
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890018
HWB-LANL-12-080**

Dear Messrs. Maggiore and Mousseau:

The New Mexico Environment Department (NMED) is in receipt of the United States Department of Energy (DOE) and Los Alamos National Security, L.L.C.'s (collectively, the Permittees) document entitled *Request for Extension to Submit Phase II Investigation Report for Upper Los Alamos Canyon Aggregate Area* (Report) dated November 8, 2012 and referenced by EP2012-0231.

The Permittees request the extension to submit the Report due to their re-allocation of resources to the shipment of transuranic (TRU) waste stored at Technical Area (TA) 54 to the Waste Isolation Pilot Plant, located in Eddy County, New Mexico and due to uncertainties in funding levels for the current federal fiscal year (FFY13). The submittal date for the Report has been changed from August 30, 2013 to **February 28, 2014**, as requested.

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NMED notes that this is the second extension requested by the Permittees to submit this Report from the original due date of August 3, 2012. NMED is concerned over delays that affect the progress of corrective action; however, NMED understands the current uncertainties associated with the allocation of DOE resources to LANS to fund corrective action at the laboratory. The Permittees must notify NMED, within seven days of receipt of such information, should funds become available in the future that allow for the Report to be submitted prior to February 28, 2014. If funding becomes available, NMED may re-evaluate the deadline for completion of this project.

Please contact Dave Cobrain at (505) 476-6055 if you have questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "John E. Kieling for".

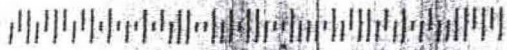
John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
T. Skibitski, NMED DOE OB
S. Yanicak, NMED DOE OB, MS M894
L. King, EPA 6PD-N
T. Haagenstad, EP-CAP, MS A992
C. Rodriguez, DOE-LASO, MS A316

File: Reading and LANL 2012 -Upper Los Alamos Canyon Aggregate Phase 2 Investigation Report

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Jeffrey D. Mousseau, Associate Director
Environmental Programs
Los Alamos National Security, L.L.C.
P.O. Box 1663, MS ~~991~~ *A150*
Los Alamos, New Mexi co 87545

NAME Elaine Rice
Z# 163017
DATE 11.21.12

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