



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

**2905 Rodeo Park Drive East, Building 1,
Santa Fe, NM 87505-6303
Phone (505)476-6000 Fax (505) 476-6030
www.env.nm.gov**



BUTCH TONGATE
Cabinet Secretary

J.C. BORREGO
Acting Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

September 28, 2016

Kimberly Davis Lebak
Manager
Los Alamos Field Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

John P. McCann
Acting Division Director
Environmental Protection and Compliance Division
Los Alamos National Laboratory
P.O. Box 1663, MS-M991
Los Alamos, NM 87545

**RE: FEE ASSESSMENT AND APPROVAL
CLASS 1 PERMIT MODIFICATION: CONSTRUCTION UPDATE
FOR THE TA-63 TWF CONTAINER STORAGE UNIT TO THE
LOS ALAMOS NATIONAL LABORATORY (LANL)
HAZARDOUS WASTE PERMIT
EPA ID #NM0890010515
HWB-LANL-16-017**

Dear Ms. Davis Lebak and Mr. McCann:

The New Mexico Environment Department (Department) has received from the United States Department of Energy and Los Alamos National Security, LLC, (collectively, the Permittees) a *Notification of Class 1 Permit Modification Construction Updates for the Technical Area 63 Transuranic Waste Facility Container Storage Unit, Los Alamos National Laboratory Hazardous Waste Facility Permit* (PMR) and referenced by EPC-DO-16-055 and LA-UR-16-21335. The Permittees submitted this permit modification request (PMR) on March 11, 2016, seeking to modify the Permit to revise the descriptions and figures to accommodate the project design changes to Technical Area (TA) 63 Transuranic Waste Facility (TWF) as constructed, and minor editorial changes.

The Permittees have also provided additional revisions to the Permit's text as a result of meetings between the Permittees and the Department on April 27, 2016 and May 19, 2016, regarding technical justifications for design changes and to demonstrate that they are functionally

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equivalent components. On September 1, 2016, the Department received the Permittees *Supplement to Notification of Class 1 Permit Modification Construction Updates for the Technical Area 63 Transuranic Waste Facility Container Storage Unit, Los Alamos National Laboratory Hazardous Waste Facility* (Supplemental Information) and referenced by EPC-DO-16-203 and LA-UR-16-25163. This PMR and Supplemental Information modifies Permit Part 3; as well as Attachment A, D, J, and N. In addition to the changes proposed by the Permittees, the Department has also made the minor editorial changes to the Permit that are indicated the attached Table 1.

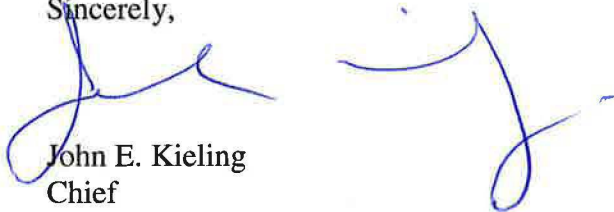
An electronic version of the Permit that incorporates the modifications is enclosed with this letter. The modified Permit is also available on the Department's Hazardous Waste Bureau website at <http://www.nmenv.state.nm/us/hwb/lanlperm.html>.

The New Mexico Hazardous Waste Management Regulations at 20.41.901.A (10) NMAC states, 'A final permit decision shall become effective thirty (30) days after the notice of the decision has been served on the applicant. The modified Permit will become effective 30 days after the date of this Approval.

The New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations, specifically 20.4.2.201.F NMAC require the assessment of fees. Payment is normally due within sixty (60) calendar days from the date that you receive the invoice in accordance with 20.4.2.301.C NMAC. However, because the Department currently maintains a supplemental fee agreement with the Permittees for State fiscal year 2016, and the Permittees transmitted payment of supplemental fees, the fee invoice has been effectively paid under these supplemental fees.

If you have any questions regarding this correspondence, please contact Siona Briley of my staff at 505-476-6049.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

Attachments

- 1) Table 1-NMED Editorial Changes
- 2) Fee Invoice
- 3) CD Attachment (Permit)

cc:

D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Briley, NMED HWB

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Ms. Davis Lebak and Mr. McCann

September 28, 2016

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L. King, EPA 6PD-N

D. Hintze, EM-LA

J. Pugh, NA-LA, MS-A316

M. Haagenstad, EPC-CP, MS-K404

S. Martinez, ADEM-MA M992

File: 2016 Reading, LANL Class 1 Permit Modification with Prior Approval
LANL-16-017

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Attachment 1: Table 1: NMED Editorial Changes

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Table 1: NMED Editorial Changes to Permit

Location	Section	Page	NMED's Changes Indicated in Red
Attachment A	A.6.1 Concrete Pad	40	a 15" to 18" gutter and 6"
Attachment A	A.6.8 Required Equipment	45	with electric powered fire-water pumps backed-up by a diesel generator to distribute water
Attachment A	A.6.9 Control of Run-/Run-off	46	The concrete pad within the permitted unit at the TWF site is sloped in a range from 1.1% to 2.5% to drain storm water to the retention pond.
Attachment J	J-1	7	Includes TA-63-0149 through 0153 Storage Buildings, TA-63-0154 Storage and Characterization Building, TA-63-0155 through 0157 Characterization Trailers, and Outside Storage Pad.

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**New Mexico
Environment Department
Hazardous Waste Bureau**

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

April 28, 2016

Invoice # - HWB-LANL-16-017

Notification of Class 1 Permit Modification Construction Update for Technical Area 63
Transuranic Waste Facility Container Storage Unit, Los Alamos National Laboratory Hazardous
Waste Permit (EPC-DO-16-055/LA-UR-16-21335)

Quantity	Item	Item Cost	Total Cost
1	Class 1 (with prior approval)	\$2,500.00	\$2,500.00
		Total Fees	\$2,500.00
		Adjustment	\$0.00
		Pay This Amount	\$2,500.00

PAID BY SUPPLEMENTAL FEE AGREEMENT APRIL 28, 2016
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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

When you provide a check as payment, you authorize the State of New Mexico to either use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

Check Number: _____ Amount Received: _____

Date Received: _____

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