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BUTCH TONGATE
Cabinet Secretary - Designate

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Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

January 20, 2017

Karen Armijo
Permitting and Compliance Manager
Los Alamos Field Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

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

**RE: APPROVAL
CLASS 1 PERMIT MODIFICATION REQUEST TO REMOVE
DOME 224 FROM THE LOS ALAMOS NATIONAL LABORATORY
(LANL) HAZARDOUS WASTE PERMIT
EPA ID #NM0890010515
HWB-LANL-16-050**

Dear Ms. Armijo and Mr. Bretzke:

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 *Transmittal of Class 1 Permit Modification Request to Remove Dome 224 from the Los Alamos National Laboratory Hazardous Waste Facility Permit* (PMR) and referenced by EPC-DO-16-288 and LA-UR-16-27097. The Permittees submitted this permit modification request (PMR) on October 19, 2016, seeking to modify the Permit to provide updates to the descriptions and figures to reflect removal of a structure from the permitted unit that is located at Technical Area 54 Area G, Pad 5. This PMR modifies Permit Part 3.12, and Attachments A, D, E, G.8, J and N.

The Department has reviewed this PMR that requires prior approval in accordance with 20.4.1.900 NMAC (incorporating 40 CFR § 270.42(a)) and hereby issues this Approval, with the following administrative changes (See attached Table 1). Based on the phone conference held on January 5, 2017, the Permittees acknowledged that there was a typographical error in their

U1700152

Ms. Armijo and Mr. Bretzke

January 20, 2017

Page 2

submission (i.e., Description section on page 1 of the Enclosure 1 stated that Permit Part 2 will be revised). The Permittees clarified that they are only requesting the modifications provided in redline (i.e., Permit Parts 3.12, and Attachments A, D, E, G.8, J and N) and not Permit Part 2.

An electronic version of the Permit that incorporates the modification is enclosed with this letter. The modified Permit is also available on the Department's Hazardous Waste Bureau website <https://www.env.nm.gov/HWB/Permit.htm>.

The New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2.201.F requires 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. The Department sent a Fee Assessment on December 22, 2016, in accordance with the supplemental fee agreement with the Permittees for fiscal year 2017. The Permittees transmitted payment of fees, and the fee invoice has effectively been paid under these supplemental fees. If you disagree with the fee assessed you may notify the Department in writing, at the address above, of the intent to appeal the invoice under the provisions of 20.4.2.302A NMAC.

The New Mexico Hazardous Waste Management Regulations at 20.4.1.901.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.

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 Administrative changes
- 2) CD Attachment (Permit)

cc:

J. Valdez, NMED HWB
N. Dhawan, NMED HWB
S. Briley, NMED HWB
M. Haagenstad, EPC-CP, MS-K404
S. Martinez, ADEM-MA M992
File: 2017 LANL, Fee Letter Class I PMR with Prior Approval
LANL-16-050

Attachment 1

U1700152

Table 1: NMED Administrative Changes

Location	Original text	Modified Text (bold)	Reason
Attachment A.4.2.5, page 20	This asphalt pad consists of former pads 5, 7, and 8, located on the south-central portion of Area G, has two domes and eight sheds (<i>see</i> Figure 32 in Attachment N (<i>Figures</i>)) associated with it.	This asphalt pad consists of former pads 5, 7, and 8, located on the south-central portion of Area G, has one dome and eight sheds (<i>see</i> Figure 32 in Attachment N (<i>Figures</i>)) associated with it.	Removed Dome 224, from Permit, consistent with other modifications requested
Closure Plan G.8, page 1	The dome, concrete ring wall, and HDPE liners were removed from the permitted unit, demolished, and disposed of in 2016	The dome, concrete ring wall, and HDPE liners were removed from the permitted unit, demolished, and disposed of in 2017	Approval granted in 2017.

U1700152