



State of New Mexico
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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BUTCH TONGATE
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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

June 7, 2017

Kimberly Davis Lebak, Manager
National Nuclear Security Administration
Los Alamos Field Office
U.S. Department of Energy
3747 West Jemez Road, A316
Los Alamos, NM 87544

Michael T. Brandt, Associate Director
Environmental Safety, and Health
Los Alamos National Security, LLC.
Los Alamos National Laboratory
P.O. Box 1663, MS K491
Los Alamos, New Mexico 87545

**RE: APPROVAL
SUPPLEMENTAL ENVIRONMENTAL PROJECT
LANL IMPROVEMENTS TO TRANSPORTATION ROUTES USED FOR
TRANSPORTATION OF TRANSURANIC WASTE TO WIPP
SETTLEMENT AGREEMENT AND STIPULATED FINAL ORDER HWB-14-20
ADDENDUM 1
LOS ALAMOS NATIONAL LABORATORY
EPA ID# NM0890010515, HWB-LANL-MISC**

Dear Ms. Davis Lebak and Mr. Brandt:

The New Mexico Environment Department (“NMED”) has received the United States Department of Energy (“DOE”) and Los Alamos National Security, L.L.C.’s (“LANS”) (collectively the Respondents) *Supplemental Environmental Project, LANL Improvements to Transportation Routes Used for Transportation of Transuranic Waste to WIPP Regarding Settlement Agreement and Stipulated Final Order HWB-14-20, Addendum 1* (“Addendum 1”) referenced by ADESH-17-041 and dated May 26, 2017. The Addendum 1 was developed pursuant to the Settlement Agreement and Stipulated Final Order (“SA-SFO”) signed between the NMED and the Respondents on January 22, 2016 to resolve NMED Compliance Order HWB-14-20 issued to the Respondents on December 6, 2014.

Paragraph 37 of the SA-SFO states: “DOE shall expend up to \$12 million to improve DOE-owned transportation routes at LANL used for the transportation of transuranic waste to [Waste

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Ms. Davis Lebak and Mr. Brandt

June 7, 2017

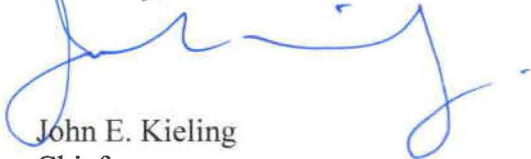
Page 2

Isolation Pilot Plan] WIPP.” Pursuant to Paragraph 37.a) of the SA-SFO, all agreed to dates, deadlines and improvement projects shall be memorialized in a written document between DOE, New Mexico Department of Transportation (“NMDOT”) and NMED, and shall be fully enforceable in accordance with paragraph 45 of the SA-SFO.

Addendum 1 memorializes the projects agreed upon by NMED, NMDOT and DOE. Addendum 1 also identifies the selected projects and subprojects by priority, and provides justification and a tentative schedule for implementation of the projects. Addendum 1 was developed through a core project team that included designees from the core leads agencies NMED, NMDOT, and DOE, along with consideration and input from participants from LANS, United States Army Corps of Engineers (“USACE”), United States Department of Interior National Park Service, and Los Alamos County. The USACE, as the contractor for DOE, will develop a construction estimate and schedule for the projects, which will replace the tentative schedule within Addendum 1, once NMED, NMDOT and DOE agree to the schedule. Any changes agreed to within Addendum 1, shall be fully enforceable in accordance with paragraph 45 of the SA-SFO.

NMED has reviewed Addendum 1 and hereby issues this Approval. Should you have any questions or comments please contact me at (505) 476-6035.

Sincerely,



John E. Kieling

Chief

Hazardous Waste Bureau

cc: J.C. Borrego, NMED Deputy Secretary
L. Hatch, NMDOT Deputy Secretary
J. Hower, NMED-OGC
C. Christ, NMDOT-OGC
R. Padilla NMDOT
N. Dhawan, NMED-HWB
P. Maggiore, DOE NA-LA
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L. King, EPA 6PD-N

File: 2017 Reading- LANL SA-SFO, SEP-Approval Addendum 1

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