



State of New Mexico
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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Cabinet Secretary

J.C. BORREGO
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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 4, 2017

Doug Hintze, Manager
U.S. Department of Energy
Los Alamos National Laboratory
P.O. Box 1663, MS M984
Los Alamos, NM 87545

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 AND FEE ASSESSMENT
TRANSMITTAL OF CLASS 1 PERMIT MODIFICATION TO INCLUDE
DOME 224 WITHIN THE LOS ALAMOS NATIONAL LABORATORY
HAZARDOUS WASTE FACILITY PERMIT
EPA ID #NM0890010515
HWB-LANL-17-047**

Dear Messrs. Hintze and Bretzke:

The New Mexico Environment Department (the 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 Include Dome 224 Within the Los Alamos National Laboratory Hazardous Waste Facility Permit* (PMR) and referenced by EPC-DO-17-283 and LA-UR-17-25530. The Permittees submitted this permit modification request (PMR) on August 1, 2017, seeking to modify the Permit to update figures and descriptions in Permit Part 3 and Attachments A, D, E, G.8, G.9, J, and N of the Permit.

The Department has accepted the submittal for review in accordance with the New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2.201.B(2) NMAC. The fee invoice is attached to this letter [incorporating the Code of Federal Regulations (CFR) Title 40, §270.42] and has incorporated the changes into the Permit.

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In addition to the modifications requested by the Permittees on August 1, 2017; the Department has also incorporated the following clarification to Attachment G.8 Section 6.1 "Dome 224 is anticipated to be removed from the permitted unit prior to final closure of the unit" as requested by the Permittees on September 14, 2017. The Department has also modified the language in closure plans G.8 and G.9 from "was" to "shall be" to be consistent with the language in other closure plans and the language in place prior to the January 20, 2017, modification to remove Dome 224 from Technical Area 54 Area G, Pad 5.

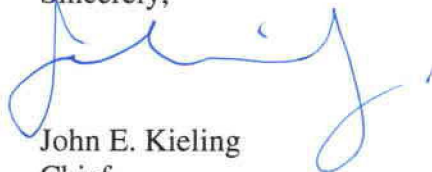
An electronic version of the Permit that incorporates the modifications is enclosed with this letter. The modified Permit is also available on the Department's Hazardous Waste Bureau website at <https://www.env.nm.gov/hazardous-waste/lanl-permit/>.

If you disagree with the fee assessed, you may notify NMED in writing, at the address above, of the intent to appeal the invoice under the provisions of 20.4.2.302.A NMAC.

The New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations, 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 2017, 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) Fee Invoice

cc w/o attachments:

J. Valdez, NMED HWB
N. Dhawan, NMED HWB
S. Briley, NMED HWB
L. King EPA 6PD-N
K. Armijo, NNSA MS A316
M. Haagenstad, EPC-CP, MS-K404
S. Martinez, ADEM-MA M992
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locatesteam@lanl.gov

File:2017 LANL, Approval and Fee Letter Class 1 with Prior Approval PMR to Add
Dome 224 to TA-54, Area G Pad 5.

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