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Governor

JOHN A. SANCHEZ
Lieutenant Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

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DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

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

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 29, 2012

Kevin W. Smith
Manager
Los Alamos Site Office
Department of Energy/NNSA
3747 West Jemez Road
Los Alamos, NM 87544

Charles McMillan
Director
Los Alamos National Laboratory
P.O. Box 1663, Mail Stop A100
Los Alamos, NM 87545

**RE: APPROVAL
MODIFICATION TO THE MARCH 1, 2005 ORDER ON CONSENT TO
ADD SECTION III.Z – PUBLIC ENVIRONMENTAL DATABASE
LOS ALAMOS NATIONAL LABORATORY,
EPA ID #NM0890010515
HWB-LANL-12-055**

Dear Messrs. McMillan and Smith:

The New Mexico Environment Department (NMED) received the Department of Energy and Los Alamos National Security, L.L.C. (collectively, the Respondents) request to modify the March 1, 2005 Order on Consent (Consent Order) dated October 22, 2012 and referenced by EP2012-0250. According to Section III.J of the Consent Order, the parties (the Respondents and NMED) may modify a provision of the Consent Order, provided any such modification is in writing and signed by all parties. This modification consists of the addition of a section to the Consent Order requiring the establishment and maintenance of a publicly accessible database that contains environmental data acquired by the Respondents.

On October 22, 2012, the Respondents submitted a request to modify the Consent Order requirements to add a section (III.Z) requiring the maintenance of a publically accessible database containing data collected from environmental media acquired during site investigation and monitoring activities. The database replaces the Risk Analysis, Communication, Evaluation

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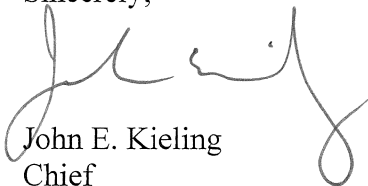
and Reduction (RACER) environmental database required by the Settlement Agreement and Stipulated Final Order (HWB 07-27 (CO)).

A copy of the revised Consent Order is attached. The signature page acknowledging agreement by the Parties is included as the last page of the attached modified Consent Order.

Upon receipt of this letter, the Respondents must comply with the public notice requirements for a Class 1 permit modification as specified in 40 CFR 270.42(a)(1)(ii), incorporated by 20.4.1.NMAC.

Should you have any questions, please feel free to contact me at (505) 476-6035.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Martin, NMED Cabinet Secretary
B. Tongate, NMED Deputy Cabinet Secretary
J. Davis, NMED RPD
D. Cobrain, NMED HWB
C. de Saillan, NMED OGC
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
P. Maggiore, DOE LASO, MS A316
J. Mousseau, ENV MS M991

file: Reading and LANL General Consent Order 2012