



State of New Mexico
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

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
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 24, 2017

David S. Rhodes, Director
Office of Quality & Regulatory Compliance
Environmental Management
Los Alamos Field Office
3747 West Jemez Road
Los Alamos, NM 87544

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

**RE: FEE ASSESSMENT AND APPROVAL
REQUEST FOR A CLASS 1 PERMIT MODIFICATION
TO REVISE TABLE K-1 OF ATTACHMENT K OF THE
LOS ALAMOS NATIONAL LABORATORY (LANL)
HAZARDOUS WASTE FACILITY PERMIT
EPA ID #NM0890010515
HWB-LANL-17-025**

Dear Messrs. Rhodes and Bretzke:

The New Mexico Environment Department (NMED) has received from the United States Department of Energy (DOE) and Los Alamos National Security, LLC, (LANS) (collectively, the Permittees) a *Request for a Class 1 Permit Modification to the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit, EPA ID No. NM0890010515* and referenced by EPC-DO-17-153 and LA-UR-17-22862, dated May 1, 2017. The Permittees submitted this class 1 permit modification request (PMR) requiring prior approval to modify the Permit to revise Table K-1 of Attachment K, *Listing of SWMUs and AOCs*, to identify one existing solid waste management unit (SWMU) as two new SWMUs.

The purpose of this permit modification is to facilitate the completion of corrective actions on the portion of the SWMU located on the Hutton Team, LLC property prior to completion of corrective actions on the other privately-owned and DOE owned portions of the SWMU. Existing SWMU 01-001(s2) will be divided into SWMU 01-001(s2) and SWMU 01-001(s3).

Messrs. Rhodes and Bretzke
May 24, 2017

The permit modification will allow the Permittees to expedite the request for a certificate of completion (CoC) for SWMU 01-001(s3) and assist in transitioning the Hutton Team, LLC property from its current vacant status to an economically productive use.

The NMED has reviewed this PMR in accordance with the New Mexico Administrative Code, Title 20, Chapter 4, Part 1 (20.4.1 NMAC) [incorporating Code of Federal Regulations (CFR), Title 40 §270.42] and hereby issues this Approval.

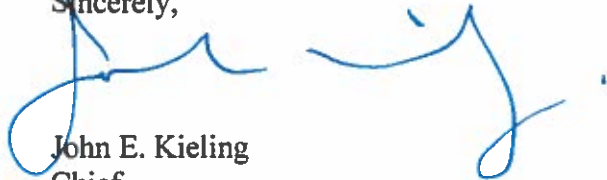
A redline version and a clean version of Table K-1 of Attachment K of the Permit that incorporates the modifications are included as attachments to this letter. The modified Permit is also available on the NMED's Hazardous Waste Bureau website at <https://www.env.nm.gov/HWB/Permit.html>.

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.

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 Robert Murphy of my staff at 505-476-6022.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

Attachments

- 1) Permit, Table K-1 of Attachment K, Redline and Clean
- 2) CD Attachment

cc:

N. Dhawan, NMED HWB
S. Briley, NMED HWB
R. Murphy, NMED, HWB
S. Yanicak, NMED OD

Messrs. Rhodes and Bretzke
May 24, 2017

L. King, EPA 6PD-N
D. Hintze, EM-LA
J. Pugh, NA-LA, MS-A316
M. Haagenstad, EPC-CP, MS-K404
C. Rodriguez, EM-SG
S. Martinez, ADEM-MA M992

File: 2017 Reading, LANL Class 1 Permit Modification with Prior Approval, SWMU 01-001(s2) and SWMU 01-001(s3)
LANL-17-025