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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**

September 27, 2012

Kevin W. Smith, Manager  
Los Alamos Site Office  
Department of Energy  
3747 W. Jemez Rd., MS-A316  
Los Alamos, NM 87544

Michael Brandt, Associate Director  
Environment, Safety, Health, & Quality  
Los Alamos National Security, LLC  
Los Alamos Research Park  
P.O. Box 1663, MS K491  
Los Alamos, NM 87545

**RE: REQUEST FOR CLASSIFICATION DETERMINATION FOR PROPOSED  
MODIFICATION TO THE LOS ALAMOS NATIONAL LABORATORY (LANL)  
HAZARDOUS WASTE FACILITY PERMIT  
EPA ID# NM 0890010515**

Dear Messrs. Smith and Brandt:

The New Mexico Environment Department (Department) has received the *Request for Classification Determination for Proposed Modification to the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit* (Request), dated September 20, 2012, from the United States Department of Energy and Los Alamos National Security, LLC (collectively the Permittees). The Permittees seek a class determination for a Permit Modification Request to modify their Hazardous Waste Facility Permit (Permit) to add macroencapsulation treatment.

The Department has reviewed the Permittees' Request, and provides the following comments. The Permittees must address these comments before the Department can complete its evaluation of the Request and make a class determination.

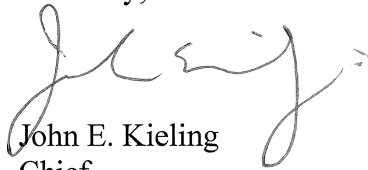
40 CFR 270.42(d)(1) [incorporated by 20.4.1.900 NMAC] states that if the Permittees request a classification determination for a Permit modification, they "must provide the Agency with the

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with the necessary information to support the requested classification.” The Permittees’ request did not provide the necessary information. Specific changes to the Permit and a complete justification for requesting a Class 1 modification with prior Department approval was not provided with the Request. In order for the Department to determine the appropriate classification, the Permittees must provide the following: (1) a narrative describing the exact changes being proposed to the Permit; (2) a complete justification for requesting that the modification be a Class 1 modification with prior Department approval; and (3) proposed changes to the Permit in redline/strikeout.

If you have questions regarding this correspondence, please contact Tim Hall of my staff at 505-222-9555 or at [timothy.hall@state.nm.us](mailto:timothy.hall@state.nm.us).

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

JEK/th

cc:

J. Davis, NMED RPD  
D. Cobrain, NMED HWB  
T. Hall, NMED HWB  
L. King, EPA 6PD-N  
T. Grieggs, LANS ENV-RCRA, , MS-K490  
M. Haagenstad, LANS ENV-RCRA, , MS-K404  
G. Bacigalupa, LANS ENV-RCRA, , MS-K404  
G. Turner, DOE-LASO, MS-A316

File: Reading and LANL Permit 2012