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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 1, 2019

Doug Hintze, Manager
DOE Environmental Management
Los Alamos Field Office
P.O. Box 1663, MS M984
Los Alamos, NM 87545

Pete Maggiore, Deputy Assistant Manager
DOE National Nuclear Security Administration
Los Alamos Field Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

**RE: CORRECTIVE ACTIONS FOR FINDINGS OF
FIRST INDEPENDENT EXTERNAL TRIENNIAL REVIEW
LOS ALAMOS NATIONAL LABORATORY
EPA ID# NM0890010515**

Dear Messrs. Hintze and Maggiore:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE)'s *Additional Information for Observations #16, #17, and #18, Response to First Independent External Triennial Review Corrective Actions*, dated April 16, 2019. In addition to the April 16, 2019 response a January 11, 2019 response was provided to NMED.

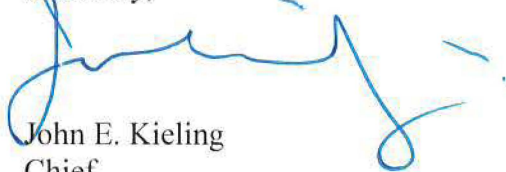
A Settlement Agreement and Stipulated Final Order (SA) was entered between the Hazardous Waste Bureau of NMED, United States Department of Energy (DOE), and the Los Alamos National Security, LLC (LANS) on January 22, 2016, to resolve Compliance Order HWB-14-20 issued to the Respondents (DOE and Los Alamos National Security, LLC) on December 6, 2014. Los Alamos National Security, LLC has since been replaced by Newport News Nuclear BWXT (N3B) and Triad National Security, LLC (Triad) as co-operators of Los Alamos National Laboratory (LANL) and are henceforth referred to as the Respondents along with DOE.

Section 38 of the SA required that DOE fund independent external triennial reviews of environmental regulatory compliance and operations at LANL to ensure that regulatory deficiencies are identified. As required by the SA, DOE submitted scope of work and guidelines for triennial review supplemental environmental project (SEP) to NMED on January 19, 2017. The scope of work was approved by NMED on February 3, 2017.

Parsons Enterprise Construction Management Services (Parsons), the independent contractor hired by DOE to conduct first triennial review, submitted its final report on September 14, 2018. The SA required that all open potential regulatory deficiencies identified during independent triennial review be corrected within sixty (60) calendar days, (i.e., November 13, 2018) of finalization of the report. DOE requested a 60-day extension of time on November 8, 2018, and it was approved on November 16, 2018. The DOE provided responses to pre-decisional observations #16 through #21 on January 11, 2019. After further discussions with NMED, additional information on observations #16, #17, and #18 were submitted by DOE on April 16, 2019.

NMED has conducted the review of both the January 11 and April 16, 2019 responses and concurs with DOE that the observations in the Parsons final report of the first triennial review have been adequately addressed. If you have any questions, please contact Neelam Dhawan of my staff at 505-476-6042

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: N. Dhawan, NMED HWB
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file: LANL 2019, DOE Response to Triennial Review Findings