



Michelle Lujan Grisham
Governor

Howie C. Morales
Lt. Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov



James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

September 17, 2019

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

**RE: INTENT TO ASSESS STIPULATED PENALTIES FOR THE
WESTBAY WELLS RECONFIGURATION COMPLETION REPORT
FISCAL YEAR 2019 MILESTONE # 14, APPENDIX B, CONSENT ORDER
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-MISC**

Dear Mr. Hintze:

Pursuant to Section XXXV.A.5 of the June 2016 Compliance Order on Consent (CO), the New Mexico Environment Department (NMED) is providing a written notice to the U.S. Department of Energy (DOE) that NMED will be assessing stipulated penalties for DOE's failure to timely meet the fiscal year 2019 Milestone #14, as listed in Appendix B of the CO. An assessment of civil penalty based upon the total number of days of noncompliance in accordance with CO Section XXXV.A.6 will be provided via written correspondence upon the completion of the tasks associated with Milestone #14.

Submittal of fiscal year 2019 Milestone #14, listed in Appendix B of the 2016 CO was due on August 30, 2019 and is listed as "[W]estbay Wells Reconfiguration Completion Report for R-5, R-7, R-8, R-9i, R-19, R-25, and R-31". To date, NMED has not received the Completion Report. DOE

Mr. Hintze
September 17, 2019
Page 2

submitted an extension request on August 26, 2019 to extend the submission date to March 30, 2020. NMED denied the extension request on September 16, 2019.

If you have any questions regarding this correspondence, please contact me at 505-476-6035 or Neelam Dhawan at 505-476-6042.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: S. Stringer, NMED RPD
J. Hower, NMED OOTS
N. Dhawan, NMED HWB
M. Hunter, NMED GWQB
S. Yanicak, NMED DOE OB, MS M894
L. King, EPA Region 6, Dallas, TX
A. Duran, DOE-EM-LA
C. Rodriguez, DOE-EM-LA
E. Lowes, N3B
emla.docs@em.doe.gov

File: 2019 LANL, Intent to Assess Stipulated Penalties for Milestone #14, Appendix B, FY 2019, Reconfiguration of Westbay Wells.