

Permit



EMID-702922



**Michelle Lujan Grisham**  
Governor

**Howie C. Morales**  
Lt. Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

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**James C. Kenney**  
Cabinet Secretary

**Jennifer J. Pruett**  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

October 31, 2019

Arturo Duran, Designated Agency Manager (DAM)  
Environmental Management  
Los Alamos Field Office  
P.O. Box 1663 MS-M984  
Los Alamos, NM 87545

**RE: CLARIFICATION  
RESOLUTION OF DENIAL OF EXTENSION REQUEST FOR WESTBAY WELLS  
RECONFIGURATION FOR FISCAL YEAR 2019 MILESTONE # 14, APPENDIX B,  
2016 COMPLIANCE ORDER ON CONSENT  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID#NM0890010515  
HWB-LANL-MISC**

Dear Mr. Duran,

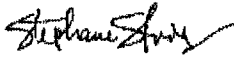
On October 29, 2019, the New Mexico Environment Department (“NMED”) issued correspondence to the U.S. Department of Energy (“DOE”) resolving NMED’s denial of DOE’s request for extension of the deadline associated with Federal Fiscal Year 2019 (“FFY19”) Milestone #14 of Appendix B of Compliance Order on Consent (“CO”). In the correspondence, it stated that “[t]he remainder of the FFY19 Milestone #14 activities associated with R-5, R-7, R-8, R-9i, and R-19 will be subject to stipulated penalties, which will be calculated from the original deadline to the date of submittal of each Milestone deliverable.” As NMED’s stipulated penalty notice was provided to DOE on September 17, 2019, which was greater than 15 days after the milestone deadline, the stipulated penalties will be calculated from the date of the written notice, as required by XXXV.A.5 of the June 2016 CO. As previously stated in the October 29, 2019 correspondence, a separate correspondence will be sent with the total stipulated penalty amount to be remitted.



Mr. Arturo Duran  
October 31, 2019  
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NMED apologizes for any confusion the October 29, 2019 correspondence may have caused. Please let me know if you have any questions or require additional information.

Sincerely,



Stephanie Stringer, Director  
Resource Protection Division

Cc:

S. Stringer, NMED RPD  
J. Hower, NMED OOTS  
N. Dhawan, NMED HWB  
S. Yanicak, NMED DOE OB, MS M894  
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File: 2019 LANL, Clarification Letter for Resolution of Denial of Extension Request for Westbay Wells Reconfiguration, Milestone # 14, Appendix B, FY 2019

EM2019-0602