



DELIVERED VIA EMAIL AND CERTIFIED - RETURN RECEIPT REQUESTED

May 12, 2025

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**RE: DIRECTION AND APPROVAL OF EXTENSION
FOR SUBMITTAL OF THE REVISED LOS ALAMOS NATIONAL LABORATORY GENERAL
PART A AND PART B PERMIT APPLICATION FOR RENEWAL OF THE LOS ALAMOS
NATIONAL LABORATORY HAZARDOUS WASTE FACILITY PERMIT
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-20-001**

Dear Theodore Wyka and Jessica Kunkle:

The New Mexico Environment Department (NMED) is writing this letter to memorialize the May 6, 2025 discussion wherein the United States Department of Energy (DOE) agreed, following the in person monthly meeting with NMED, to revise the Permit Renewal Application to remove the Corrective Action Complete (CAC) Petition (a Class III Permit Modification (PMR)) portion, and requested an extension to revise and resubmit the Renewal Application. This May 6, 2025 discussion was attended by Robert Gallegos from DOE and JD Nance from NMED. This discussion was followed with a formal email on May 7, 2025, from Karen Armijo Requesting written confirmation. In a subsequent call on May 9, 2025, between JD Nance from NMED and Karen Armijo from DOE, the Permittees requested an extension of 60 calendar days to revise the Permit Renewal Application. NMED has reviewed the extension request and hereby grants a 60-calendar day extension.

The background for this agreement and extension is as follows:

- On September 30, 2021, more than a year after the submittal of the Renewal Application (June 30, 2020), DOE submitted the CAC Petition to NMED. The RCRA

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Regulations require that an opportunity for public comment and an opportunity to request a public hearing must be provided to the public for a Class III PMR that is considered a major modification. In multiple discussions with DOE, NMED communicated that it is not appropriate to combine the Class III PMR for a CAC Petition with the renewal application, since it would put an undue burden on the public to review both the draft permit and the CAC Petition within a 60-day comment period.

- On March 28, 2023, the NMED received the DOE's *Path Forward Regarding the Los Alamos National Laboratory General Part A and Part B Permit Application for Renewal of the Los Alamos National Laboratory Hazardous Waste Facility Permit*, (Path Forward, dated March 28, 2023).
- On November 15, 2024, NMED sent DOE a *Path Forward Regarding the Los Alamos National Laboratory General Part A and Part B Permit Application for Renewal of the Los Alamos National Laboratory Hazardous Waste Facility Permit* (Direction) and directed DOE to address NMED comments and provide a revised Permit Renewal Application by May 14, 2025.
- In a pre-submittal meeting held on April 1, 2025, the DOE informed NMED that the DOE intended to include the 2021 Class III PMR CAC Petition for 19 Solid Waste Management Units and Areas of Concern into the Permit Renewal Application. During this April 1, 2025 meeting, NMED stated its opposition to this action.
- Accordingly, the Class III PMR CAC Petition for 19 Solid Waste Management Units and Areas of Concern will be addressed separately pursuant to the regulatory requirements for a Class III PMR after the new Permit has been issued.

DOE must submit a revised permit renewal application **to NMED within 60-calendar days from the date of this letter.**

If you have any questions regarding this letter, please contact Siona Briley at (505) 690-5160.

Sincerely,

JohnDavid Nance

Digitally signed by JohnDavid

Nance

Date: 2025.05.12 11:24:03 -06'00'

JohnDavid Nance

Chief, Hazardous Waste Bureau

New Mexico Environment Department

Theodore Wyka and Jessica Kunkle

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File: 2025 LANL, Permit, Additional Direction and Extension on LANL Permit Renewal
Application
LANL-20-001