



VIA USPS CERTIFIED MAIL AND EMAIL

October 31, 2025

Steven A. Coleman
Associate Laboratory Director
Environmental, Safety, Health, and Quality
Triad National Security, LLC
Los Alamos National Laboratory
scoleman@lanl.gov

Theodore A. Wyka
Manager
National Nuclear Security Administration
Los Alamos Field Office
U.S. Department of Energy
theodore.wyka@nnsa.doe.gov

**RE: NOTICE OF DENIAL
NOTIFICATION OF FORCE MAJEURE AND LAPSE OF APPROPRIATIONS –
LOS ALAMOS NATIONAL LABORATORY FEDERAL FACILITY COMPLIANCE ORDER
SITE TREATMENT PLAN
LOS ALAMOS NATIONAL LABORATORY
EPA ID #NM0890010515
HWB-LANL-MISC**

Dear Messrs. Coleman and Wyka:

I am writing in response to the *Notification of Force Majeure and Lapse of Appropriations – Los Alamos National Laboratory Federal Facility Compliance Order Site Treatment Plan Compliance Milestones and Activities* (“Notification of a Force Majeure Event”) that the New Mexico Environment Department (“NMED” or “the Department”) received on October 20, 2025, from the United States Department of Energy (“DOE”) and Triad National Security, LLC (“Triad”) (collectively, “the Respondents”).

Section XIV(D) of the Federal Facilities Consent Order (“FFCO”) provides that:

D. Failure to obtain adequate funds or appropriations from Congress does not in any way relieve Respondents from their obligation to comply with the FFC Act or this Order. If adequate funds or appropriations are not available to fulfill Respondents’ obligations under this Order, NMED may exercise any or all of its applicable statutory and regulatory authority.

Section XIV(D) of the FFCO explicitly states that inadequate funding is not a force majeure event that excuses Respondents from fulfilling Site Treatment Plan obligations. The Department expects Respondents to fulfill the requirements of the Site Treatment Plan.

Steven A. Coleman and Theodore A. Wyka

October 31, 2025

Page 2

If you have any technical questions regarding this letter, please contact JohnDavid Nance (505) 629-6764.

Sincerely,

**JohnDavid
Nance**

Digitally signed by JohnDavid
Nance
Date: 2025.10.31 15:37:21
-06'00'

JohnDavid Nance, Chief
Hazardous Waste Bureau
New Mexico Environment Department

Kyle Staggs

Digitally signed by Kyle
Staggs
Date: 2025.10.31
15:45:18 -06'00'

Kyle Staggs, Chief
Resource Protection Compliance and
Enforcement Bureau
New Mexico Environment Department

cc:

Laurie King, USEPA/Region 6, Dallas, TX, king.laurie@epa.gov
Neelam Dhawan, NMED-HWB, Santa Fe, NM, neelam.dhawan@env.nm.gov
Siona Briley, NMED-HWB, Santa Fe, NM, siona.briley@env.nm.gov
Theodore A. Wyka, NA-LA, theodore.wyka@nnsa.doe.gov
Peter Duklis, NA-LA, peter.duklis@nnsa.doe.gov
Karen E. Armijo, NA-LA, karen.armijo@nnsa.doe.gov
Emmett Armour, NA-LA, emmett.armour@nnsa.doe.gov
Stephen Jochem, NA-LA, Stephen.jochem@nnsa.doe.gov
Anthony R. Stone, N3B, anthony.stone@em-la.doe.gov
Gwen M. Bechtel, N3B, gwen.bechtel@em-la.doe.gov
Melissa Bitting, Triad, GC-IPER, mbitting@lanl.gov
Andrew Thiros, Triad, GC-IPER, thiros@lanl.gov
Mark E. Davis, Triad, DDOPS, mark.davis@lanl.gov
Liana M. Lovato, Triad, DDOPS, lianaa@lanl.gov
Steve L. Story, Triad, EPC-DO, story@lanl.gov
Jessica Moseley, Triad, EPC-WMP, jmoseley@lanl.gov
James Eby, Triad, EPC-WMP, jeby@lanl.gov
Avril Millensted, Triad, EPC-WMP, millensted@lanl.gov
Sandra Story-Hughes, Triad, EPC-WMP, sstory-hughes@lanl.gov
lasomailbox@nnsa.doe.gov
eshq-dcrm@lanl.gov
locatesteam@lanl.gov
epc-correspondence@lanl.gov
interface@lanl.gov
n3binterface@em-la.doe.gov
emla.docs@em.doe.gov
RegDocs@em-la.doe.gov