Lindsay A. Lovejoy, Jr.
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EXHIBIT 10

9 March 2017

Samuel Coleman, P.E.
Acting Administrator
U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Suite 1200
Dallas, TX 75202

Re: Request to Terminate NPDES Permit #NM0028355 as to
Outfall #051 for Radioactive Liquid Waste Treatment Facility

Dear Mr. Coleman:

The undersigned represent Concerned Citizens for Nuclear Safety ("CCNS"), the citizen organization that submitted a letter request (in two copies, with attachments), dated June 17, 2016, to the Regional Administrator as an interested party, requesting, pursuant to 40 C.F.R. § 124.5, the termination of NPDES permit #NM0028355, issued to Los Alamos National Laboratory, as to Outfall #051, on the ground that no discharges are associated with that outfall.

At that time, we understood from 40 C.F.R. § 22.51 that the presiding officer for a proceeding would be a Regional Judicial Officer. We have received an order from the Regional Judicial Officer, Mr. Rucki, stating that he has no authority to address the issue. (Order, March 2, 2017). The Order states, in pertinent part, that "CCNS may, if it chooses, re-file this matter with the Regional Administrator." *Id.*

CCNS chooses to re-file this matter, as stated by the Regional Judicial Officer, with the Acting Regional Administrator. An additional copy of the June 17, 2016 letter request is enclosed. All interested parties received a copy of this letter (with attachments) in June 2016.

We are requesting Mr. Rucki to provide you with a set of the attachments to our June 17,

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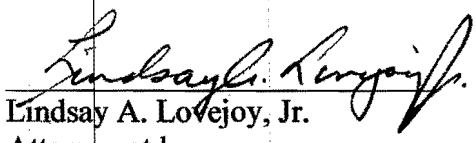
2016 filing, which constitute evidence demonstrating that the permit in this case covers an outfall that has not discharged in over six (6) years and which the permittee has stated numerous times is connected to a "zero discharge" facility. CCNS hereby requests that you, as the Acting Regional Administrator, rule upon the within Request to terminate NPDES permit #NM0028355 as to Outfall #051.

Respectfully submitted:



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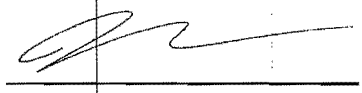

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cc (w/o attachments):

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Mr. Butch Tongate, Secretary
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