



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

JAN 14 1994

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Ms. Margret Carde  
Nuclear Waste Project Director  
Concerned Citizens for Nuclear Safety  
107 Cienega  
Santa Fe, NM 87501



Dear Ms. Carde,

Thank you for your letter of December 15, 1993, concerning the Los Alamos National Laboratory (LANL) Federal Facility Compliance Agreement (FFCA).

On September 30, 1992, the United States Environmental Protection Agency (EPA) issued a Notice of Noncompliance (NON) to the Department of Energy (DOE)/LANL, notifying the facility that it was storing mixed waste in violation of the Resource Conservation and Recovery Act (RCRA), Land Disposal Restrictions (LDR). In June 1993, EPA and LANL reached agreement on a draft FFCA. EPA made the draft FFCA available for public review and comment during the period from July 30 until September 10, 1993. Your organization, Concerned Citizens for Nuclear Safety (CCNS), submitted comments during this period.

There will be several modifications to the FFCA as a result of comments received. EPA has finalized its response to these comments and is currently awaiting DOE's approval of the modified FFCA. Once DOE Headquarters approves the modified FFCA, Jerry L. Bellows, Area Manager of the Los Alamos Area Office of DOE must sign the document. After Mr. Bellows signs the FFCA, it will be sent back to Region 6 for my signature, and issuance. Our Response to Comments, which contains answers to the questions submitted by CCNS (and other commenters), will be sent to you under separate cover at that time.

Since the comments in your letter appear to be substantially the same as comments previously submitted by CCNS or others during the public comment period, it would be inappropriate for EPA to respond at this time. Doing so, would in effect, reopen the comment period. However, please be assured that comments received from CCNS during the formal comment period were given careful consideration and will be fully addressed in our Response to Comments.

The Region appreciates your interest in this matter and welcomes your comments. If you have any questions or would like further information, please contact me, or Joel Dougherty of my RCRA enforcement staff at (214) 655-2281.

Sincerely yours,

*Allyn M. Davis*  
Allyn M. Davis, Director  
Hazardous Waste Management Division



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