



Department of Energy
Field Office, Albuquerque
Los Alamos Area Office
Los Alamos, New Mexico 87544

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OCT 19 1994

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Joel Dougherty
Hazardous Waste Management Division
U. S. Environmental Protection Agency
Region 6
1445 Ross Ave., Suite 1200
Dallas, TX 75202-2733

Dear Mr. Dougherty:

On April 24, 1994, staff from the Department of Energy (DOE) and the Los Alamos National Laboratory (LANL) met with you to discuss documents and reports submitted to you pursuant to the Federal Facilities Compliance Agreement (FFCA), executed by the U. S. Environmental Protection Agency (EPA) and DOE on March 15, 1994. During the course of the meeting, we brought to your attention our concerns about HW 900, a notification required to be submitted to EPA, which should state that the waste work-off is complete. This notification, described on pages 20 and 21 of Appendix B (Compliance Plan) to the FFCA, suggests that the low-level mixed waste treated by the skids in the Hazardous Waste Treatment Facility will be fully worked off within four years of completion of construction of that facility.

At our meeting on April 24, we pointed out that the HW 900 notification is a target timeline, and thus, is not fixed. We also pointed out that the four-year period was based on the then current knowledge of waste and facilities at the time that this particular issue was negotiated some two years ago (as reflected in the last sentence on page 20 of Appendix B).

We recognize that the required submission date for the work-off plan for the low-level mixed waste (HW 600), which includes work-off time frames, is probably many months, if not years away. However, our purpose in bringing our concerns about HW 900 to your attention at our meeting was to give you early notice of what now appears to be the improbability of meeting the four-year target timeline for work-off of the waste.

We now believe that the four-year time frame referred to in HW 900 does not allow adequate time required for the development of the treatment technologies, final design and construction of the skids, and perhaps most importantly, the permitting process. Further, the number of skids necessary to treat the waste streams has now expanded from the original estimate of 12 to 17.

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OCT 19 1994

Joel Dougherty

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From our current vantage point, we believe that a four-year work-off estimate cannot be met, although the amount of time is still not certain. Through the process DOE has established for addressing the Federal Facilities Compliance Act, we plan to define schedules for the treatment skids this fall. These are the schedules which will be presented to the New Mexico Environment Department (NMED) as part of our Site Treatment Plan for mixed waste. We will update you on these new schedules as they are developed with NMED.

It is our understanding from that meeting in March that you were aware of our current concern regarding meeting the four-year work-off target date and are amenable to exploring and arriving at a more realistic target date for work-off of the waste at or near the time HW 600 is due for submittal. Such a change would more appropriately reflect our current schedules developed for our Site Treatment Plans. We would appreciate very much written confirmation that this understanding is correct.

If you have any questions regarding this matter, please contact me at (505) 665-5026. Thank you for your continued assistance with regard to this matter.

Sincerely,



Jon Mack
Office of Environment and Projects

LAAMEP:7JM-261

cc:

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