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August 20, 1996

H. L. Plum
STP Project Manager
Department of Energy
Office of Environment
and Projects
Los Alamos Area Office
Los Alamos, NM 87544

Micheline Devaurs
STP Project Manager
Los Alamos National Laboratory
Los Alamos, NM 87445

Subject: Mixed Waste Treatability Studies

Dear Mr. Plum and Ms. Devaurs:

New Mexico Environment Department (NMED) has received the July 24, 1996 letter (Subject: Treatability Study Notification) and has reviewed the Resource Conservation and Recovery Act (RCRA) regulations concerning treatability studies. The NMED has also evaluated the proposed treatability study as it relates to the Federal Facilities Compliance Order (FFCO), October 1995, requirements. The NMED is taking the position that although the proposed treatability studies is not within the scope of the FFCO, it is a mixed waste concern. This particular study does not require an amendment or revision to the FFCO because the waste to be utilized in the study is not a covered waste as defined within the FFCO. NMED requests that the Department of Energy and University of California at Los Alamos National Laboratory use the annual update to the Background Volume of the Site Treatment Plan (Exhibit A) to report on the treatability studies and actions taken to meet all applicable requirements for the studies. The Hazardous Waste Permits Management Program should be contacted for RCRA permit requirements. A summary of these requirements and DOE implementation should be included in the annual update. An item of special concern for inclusion into an annual update would be potential generation of a covered waste as a consequence of the treatability studies.

Recd LAMU FFCO/96

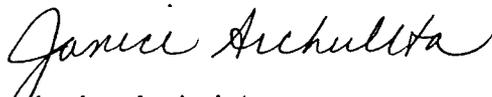


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Should you have questions on these or other issues related to the FFCO, please contact me at (505) 827-1558.

Sincerely,



Janice Archuleta,
FFCO Project Manager

ja

cc: Benito J. Garcia, Chief
Susan McMichael, OGC