

MEMO

To: Susan McMichael, OGC
From: Janice Archuleta, HRMB
Subject: NMED Federal Facility Compliance Order (FFCO)
Date: September 11, 1996

The attached letter concerns a DOE/LANL request to reclassify 1228 waste drums of mixed waste presently covered by the FFCO, to be considered as only radioactive waste with no hazardous component. LANL submitted over 1000 pages of information since January 1996 to support their request. The information was reviewed by staff members. We supported DOE/LANL's request. The FFCO allows for the request and it is exempted from the revision process. In order to keep the FFCO Site Treatment Plan Compliance Volume Plan Section 3.3 current following the removal of 1228 drums, an amendment on their part is necessary. The amendment to update the document was requested for submission to NMED within 30 days after the removal of the drums.

change to org code 520440

Recd LANL FFCO/96

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September 11, 1996

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

RE: Los Alamos National Laboratory (LANL) TA-50-1 Wastewater Treatment Sludge
Reclassification

Dear Mr. Plum and Ms. Devaurs:

New Mexico Environment Department (NMED) received a letter from the Department of Energy (DOE) and University of California (UC) at Los Alamos National Laboratory (LANL) on January 12, 1996 which stated that 1228 of a total of 1288 drums of sludge currently stored as Low-Level Mixed Waste were recharacterized, determined to be non-hazardous, and should be classified as Low-Level Waste. The sludges are currently mixed (radioactive and hazardous) wastes or "covered wastes" as defined by the Federal Facility Compliance Order (FFCO) that NMED issued to DOE and UC (Respondents) in October 4, 1995. The drums of sludge are listed in the *FFCO Site Treatment Plan Compliance Plan Volume (STP/CPV), Exhibit A* under **Section 3.3 Mixed Waste Requiring Further Characterization or for Which Technology Assessment Has Not Been Done** as *dewatered treatment sludge (MWIR waste ID [identification]: LA-W928)*. The request from DOE and UC at LANL is within the scope of the FFCO. Under **Section V.B. Other Matters Covered in this Order**, of the FFCO, it is stated "Respondents anticipate that as they characterize, sort, and survey mixed waste currently in storage at LANL, they will determine that certain waste previously identified as mixed waste is actually hazardous waste without a radioactive component or radioactive waste without a hazardous component. In those cases where the waste is determined to be a radioactive waste without a hazardous component, Respondents shall provide to NMED all information required for deleted waste under Section IX.C (Deletion of Waste)."

The January 12, 1996 letter mentioned above and subsequential letters and meetings on this subject have satisfied the requirements of Section IX.C. In addition to satisfying the requirements of Section IX.C., the letters from LANL supplied much more information about how the sludge

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was generated, including the process in the Radioactive Liquid Waste Treatment Facility, Technical Area 50, Building 1 (TA-50-1). The letters also contained many lists or tables of data collected from the sludge batches. The sludges were generated and sampled by batches which were then processed and containerized at the same time. This method, a well-mixed sample, guaranteed a representative sample of the contents of each drum. The letters also included influent data, explanations of the data, and answers to questions that the personnel from the Hazardous and Radioactive Materials Bureau (HRMB) had concerning the sludge. A list of the letters and their attachments are included in Table 1 below.

Table 1: Correspondence from LANL with the subject of the TA-50-1 Sludges

Date of Correspondence from LANL	List of Attachments
January 12, 1996	<ul style="list-style-type: none"> A. Excerpt from LANL Chemical and Mixed Waste. Database Listing 1288 drums of TA-50-1 Sludge. B. Summaries of Analytical Results, Target Organic Compounds Detected in TA-50-1 Influent . C. Summaries of Analytical Results, Toxic Metals detected in TA-50-1 Sludge. D. Excerpts from LANL Administrative Requirements (Ars) 10-1 and 10-3.
April 1, 1996	<ul style="list-style-type: none"> A. Sludge Drums - Generation, Sampling, and Storage. B. Analytical Data for 20 Sludge Samples. C. Analytical Methods, QA/QC Procedures for Sludge Samples. D. R.M. Parsons Report, <i>Study for Radioactive Wastewater Treatment Sludges at the Los Alamos National Laboratory.</i>
August 14, 1996	<ul style="list-style-type: none"> A. Table A-1: Available Volatile and Semivolatile Organics Data for TA-50-1 Influent and Sludge. Table A-2: Organic Compounds Detected in TA-50-1 Sludge. Table A-3: Toxic Organic Compounds listed in 20 NMAC 4.1.201 at 40 CFR 261.3(a)(2)(iv)(A) and (B) [never found in the sludges]. B. Summaries of Analytical Results, Target Organic Compounds Detected in TA-50-1 Influent. C. Available Total Toxic Organics Data for TA-50-1 Effluent. D. Examples of Volatile and Semivolotile Organics Analyzed in TA-50-1 Sludge.

DOE and UC, offering as much data as requested and those data which was felt essential,

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supplied a wide variety. In some instances, HRMB reviewed a representative sample of a subset of the data available on the sludges. In other situations, a complete set of data was not available for each batch of sludge because all sample requirements were not required by regulations at the time, and HRMB reviewed all that was accessible. HRMB evaluated the sludge samples for metal components, volatile organics, semi-volatile organics, and hazardous characteristics. All of the data reviewed from 1228 of the 1288 drums did indicate that the dewatered sludge did **not** contain Resource Conservation and Recovery Act (RCRA) regulated wastes. (Sixty of the drums in this treatment category were still considered to be classified as mixed waste.)

Reclassification of the drums of sludge is covered within Section V.B. of the FFCO and it is stated in Section I.X. that waste addressed pursuant to Section V.B. is excepted from the requirements of the revision process. Although this is true, NMED does have the option to require a revision should they feel that the subject warrants public comment. For the reclassification of the sludges, however, it is the position of HRMB that a revision is not required.

The HRMB no longer considers the 1228 drums of dewatered sludge from TA-50-1 that meet the requirements as hazardous materials, but as radioactive only, and therefore they are no longer considered a covered waste by the definition of the FFCO. As indicated in V.B. of the FFCO, "U[u]pon approval by NMED [the dewatered sludge drums] shall no longer be subject to the terms of this Order" and are able to be disposed pursuant to regulations for radioactive waste disposal.

Removal of the articles from Section 3.3 of the STP/CPV will make the current section of that document obsolete. In order that the STP/CPV remains current and complete, the STP/CPV must be modified to include the correct number and volume of articles in this treatment category in Section 3.3 upon the reclassification and removal of the 1228 drums of sludge. A modification to the STP/CPV must be made by an amendment or a revision. Because the change needed is very simple, HRMB requires only an amendment for the change. Please submit a request for an amendment within thirty (30) days after the disposal or removal of the 1228 barrels of sludge.

If you have any questions about this letter or the FFCO, please call me at (505) 827-1558.

Sincerely,

Janice Archuleta,
FFCO Project Manager

ja

cc: Benito J. Garcia, Chief
Susan McMichael, OGC
Coby Muckelroy, Program Manager Inspection/Enforcement Section