



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

MAR 04 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ms. Janice Archuleta
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo St., Building A
P. O. Box 26110
Santa Fe, NM 87505

Dear Ms. Archuleta:

Subject: Site Treatment Plan Corrective Action Plan (STP-CAP), Federal Facility
Compliance Order (FFCO), February 14, 1997 Letter of Violation, Fifth Status
Update and Closeout

The purpose of this letter is to provide formal notification to the New Mexico Environment Department (NMED) of the completion of all corrective actions outlined in the April 4, 1997 STP-CAP, referenced above. The Department of Energy (DOE) and the University of California (UC) submitted this STP-CAP to address concerns raised in the February 14, 1997 Letter of Violation (LOV) issued to Los Alamos National Laboratory (LANL). Elements of the STP-CAP addressed each of the five violations noted in your February 14, 1997 letter.

All corrective action steps related to Issues 1, 2, and 3 were completed by July 31, 1997, as documented to you in our previous status update letters. The two corrective actions related to Issues 4 and 5 were the only corrective actions remaining open after that time. As you are aware, these have now been completed, as described below.

Issue 4: *"DOE and UC failed to obtain approval from NMED for a revision as required under Section X of the FFCO for increases in Treatability Groups reported in the 1995 Annual Update. This violation is supported by letter from DOE to NMED dated January 31, 1997."*

Issue 5: *"DOE and UC failed to comply with the requirements set forth in Section X.B.4 or Section VIII of the FFCO for the failure to report waste previously omitted from the October 1995 CPV inventory. This violation is supported by letter from DOE to NMED dated January 31, 1997."*

The violations noted refer to the issue of when and how newly identified covered waste must be incorporated into the CPV inventory. As discussed in the STP-CAP, the definition of covered waste in the FFCO does not depend on listing of a waste item in the

Red LANL FFCO/AR



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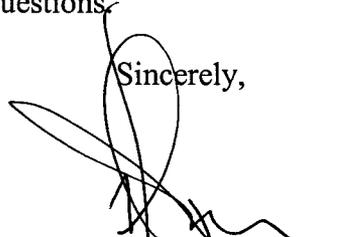
CPV inventory. There is no time period specified in the FFCO for submitting this revision to NMED, except that a revision must be submitted within two Annual Update cycles. Nonetheless, the STP-CAP addressed both violations with the following two corrective action steps: submission of Revision 5.0, and submission of the FFCO Amendment.

- DOE and UC submitted the Revision 5.0 request, concurrently with submission of the FY96 Annual Update, to formally incorporate all covered waste volumes discussed in the FY95 and FY96 Annual Updates into the CPV inventory (i.e., all covered waste volumes identified from the date of issuance of the FFCO through the end of FY96). Wastes were assigned to appropriate treatability groups, and additional compliance dates were requested in those cases where the additional covered wastes cannot be treated within the existing compliance dates specified for each treatability group. This revision was approved by NMED on December 29, 1997.
- Since issuance of the FFCO, DOE and UC had many discussions with NMED of the issues regarding additions and deletions of covered wastes. Many were addressed through Amendment 1.0 to the FFCO. This request was made in October, 1996, and signed by NMED, DOE, and UC on May 20, 1997.

DOE and UC believe many of the near-term issues surrounding these violations have been addressed by approval of the revision request, and the long-term issues addressed by approval of the FFCO amendment request. Unless you feel that some further action is required, we believe this LOV and CAP can be closed out at this time.

A certification statement is enclosed. Please contact me at (505) 665-5042 or Ken Hargis at (505) 667-2347 if you have any questions.

Sincerely,



H.L. "Jody" Plum
Office of Environment

LAAME:6JP-048

cc:
Mr. Benito Garcia, Chief
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo St., Building A
P. O. Box 26110
Santa Fe, NM 87505

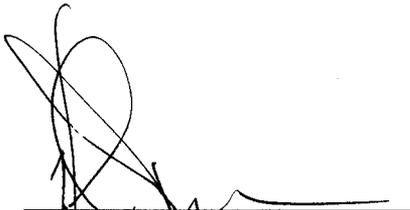
CERTIFICATION

SITE TREATMENT PLAN CORRECTIVE ACTION PLAN (STP-CAP), FEDERAL FACILITY COMPLIANCE ORDER (FFCO), FEBRUARY 14, 1997 LETTER OF VIOLATION, FIFTH STATUS UPDATE AND CLOSEOUT

I certify that I am the project manager responsible for overseeing the implementation of the Site Treatment Plan for the Los Alamos National Laboratory. To the best of my knowledge and belief, the information in this document is true, accurate, and complete.

Kenneth M. Hargis
Manager of Operations
Waste Management Program
Environmental Management Programs
Los Alamos National Laboratory
Operator

Date Signed



H. W. Plum
Regulatory Permitting and Compliance Manager
Los Alamos Area Office
U.S. Department of Energy
Albuquerque Operations
Owner/Operator

3/2/98

Date Signed