

LANL 1996



University of California
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Los Alamos, New Mexico 87545
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U. S. Department of Energy
Los Alamos Area Office, MS A316
Environmental Restoration Program
Los Alamos, New Mexico 87544
505-667-7203/FAX 505-665-4504

General SWMUs

Date: June 14, 1996
Refer to: EM/ER:96-350

Mr. Benito Garcia
NMED-HRMB
P.O. Box 26110
Santa Fe, NM 87502

**SUBJECT: ROUTINE CONSTRUCTION WORK IN SOLID WASTE
MANAGEMENT UNITS (SWMUs)**

Dear Mr. Garcia:

The Department of Energy and the Los Alamos National Laboratory are providing a letter to you (enclosed) that outlines how the Laboratory has managed routine construction work that happens to occur in SWMUs for reasons other than remediation. It is our understanding that the Environmental Protection Agency concurred with this approach. This issue is raised in somewhat ambiguous language in Module VIII of our Resource Conservation and Recovery Act Permit (page 32). Please inform us at your earliest convenience if the approach presented in the enclosed letter is not acceptable to you. We will continue to follow this approach unless you determine this approach is not acceptable to the New Mexico Environment Department.

XXR-179

Please ask your office to contact Dave McInroy at (505) 667-0819 or Ted Taylor at (505) 665-7203, if you have any questions.

Sincerely,

Jorg Jansen, Program Manager
LANL/ER Project

Sincerely,

Theodore J. Taylor, Program Manager
DOE/LAAO

RECEIVED
JUN 18 1996
DOE OVERSIGHT BUREAU

JJ/TT/bp



Enclosure: Letter on Routine Construction Work

Cy (w/ enc.):

B. Driscoll, EPA, R.6, 6PD-N
D. Griswold, AL-ERD, MS A906
J. Harry, EES-5, MS M992
B. Hoditschek, NMED-HRMB
R. Kern, NMED-HRMB
D. McInroy, EM/ER, MS M992
N. Naraine, DOE-HQ, EM-453
D. Neleigh, EPA, R.6, 6PD-N
P. Shanley, ESH-19, MS K498
T. Taylor, LAAO, MS A316
N. Weber, NMED-AIP, MS J993
J. White, ESH-19, MS K490
S. Yanicak, NMED-AIP, MS J993
RPF, MS M707

Cy (w/o enc.):

T. Baca, EM, MS J591
T. Glatzmaier, DDEES/ER, MS M992
G. Rael, AL-ERD, MS A906
W. Spurgeon, DOE-HQ, EM-453
J. Vozella, LAAO, MS A316
EM/ER File, MS M992



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

Cys To: -116

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

Dear Mr. Mayer:

The purpose of this letter is to confirm the understanding reached during several recent teleconferences between you and the staffs of the Los Alamos Area Office and Los Alamos National Laboratory (LANL), regarding notification requirements when conducting Institutional Interim Measures in Solid Waste Management Units (SWMUs). These discussions were held on February 13 and 28, and March 1, 1991.

The February 13, 1991 teleconference was initiated to discuss an excavation within a SWMU at Technical Area (TA) 53 for the purpose of removing and rerouting a liquid waste line. The SWMU boundaries had not been determined precisely, and questions arose regarding required notifications in advance of such work, as there were tentative indications of elevated organic vapors in soil removed from an area just outside the assumed SWMU boundary. The site was within the access control area of the construction activity.

On the basis of these discussions, it is our understanding that the approved Installation Work Plan adequately addresses notification requirements. In brief, LANL will proceed to:

1. Conduct Institutional Interim Measures which may include sampling and/or excavation in SWMUs.
2. In instances involving only sampling, or excavation and replacement in situ of wastes and/or contaminated soils, prenotification of your office will not be required. Documentation will be retained for your inspection upon request, and all such Interim Measure activities will be reported in the subsequent month's activity report to your office, as required by the Hazardous and Solid Waste Amendments (HSWA) permit.
3. In instances whereby significant wastes and/or contaminated soils are to be removed from a SWMU as part of an Institutional Interim Measure, an oral and/or facsimile prenotification will be made to your office.
4. As always, any discovery of release of hazardous wastes and/or constituents from a SWMU, or other such reportable incident, will be

Richard Mayer

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reported as outlined in the Installation Work Plan's procedures for complying with existing permit provisions.

Also discussed during the February 13 teleconference was the applicability of Occupational Safety and Health Administration (OSHA) 29 CFR 1910.120 requirements for worker protection and training to various activities within SWMUs. Task II paragraph C.2.f, on Page 38 of the HSWA permit provides that the Facility Health and Safety Plan shall be consistent with OSHA regulations. Although OSHA does not have jurisdiction over the Department of Energy (DOE) facilities, DOE has adopted certain OSHA regulations. The requirements contained in OSHA regulation 1910.120 have been adopted by DOE.

Thank you for providing clarification of these requirements. Please call this office at FTS 855-5027 if you have any questions regarding this letter.

Sincerely,



Jerry L. Bellows
Acting Chief
Environment, Safety and Health Branch

cc:

R. Sena, ERPO, AL
J. Themelis, EPD, AL
E. Nunez, F&P Br., LAO
J. Puckett, HSE-DO, LANL, MS-K491
L. Soholt, HSE-13, LANL, MS-K491 ✓
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