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 Environmental Restoration Project, MS M992
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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

Date: September 13, 1996
 Refer to: EM/ER:96-472



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

SUBJECT: CLARIFICATION OF HRMB's DOCUMENT HANDLING PROCEDURES

Dear Benito:

We recently received a letter (dated August 23, 1996, addressed to G. Thomas Todd) from Barbara Hoditschek of your office stating requirements set by your Hazardous and Radioactive Materials Bureau (HRMB) for submission of our regulatory deliverables.

The first requirement states that HRMB will not review "draft" documents. We believe this is a matter of semantics. The Los Alamos National Laboratory Environmental Restoration (ER) Project submits "final draft" documents to the New Mexico Environment Department. These documents are final in that we believe they are complete and are, therefore, suitable for regulatory review. We refer to the documents as draft until the regulator approves the document. Once the document is approved [possibly as it exists or after a Notice of Deficiency (NOD) and NOD response], the ER Project finalizes the document, which incorporates all regulator comments. This process is required and is cited in the the Hazardous and Solid Waste Amendments Module to the Laboratory's Resource Conservation and Recovery Act (RCRA) operating permit. One distinct citation, in particular, is on page 55, "Two hard copies of all reports, including ... the Draft and Final RCRA Facility Investigation (RFI) Reports shall be provided by the permittee to the Administrative Authority." We have talked to your staff about how to finalize these documents and decided to prepare an appendix for each document with all regulator correspondence, which would then constitute the final document. The ER Project generated a policy documenting this process as a result of the conversation with your staff. We can reprint covers for all documents which have been submitted to your office, deleting "draft" from the title. This effort would cost many thousands of dollars, and we believe it is unnecessary. We request that you consider our submittals to be the final product of the ER Project, subject to your consideration and approval.

The second requirement states that NODs or Notices of Determination for permit modifications will not be issued on draft documents. As mentioned above, our "draft" documents are final until we obtain approval from you. We have not and will not submit draft requests for permit modifications. Our permit modification requests are based on regulator "concurrence" and are, therefore, final documents.



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The third requirement stated that an electronic version of all RFI reports be submitted in a WordPerfect format. After a phone conversation with Mr. Stu Dinwiddie of your staff, we mutually agreed that the WordPerfect format or PageMaker format would be sufficient. However, after further discussion with our staff, we would like to pursue the option of also using a Microsoft Word format. We understand your staff does not use this software; however, in many cases, we will be incurring significant costs and resource impacts if we are required to use only WordPerfect or PageMaker. Microsoft Word has the capability to produce tables and figures as part of the text at a much reduced effort than PageMaker. Currently, no ER documents are produced using WordPerfect. Please consider this request. If necessary, we could provide you with the Microsoft Word software. We propose to start sending electronic versions of documents by November 1, 1996, to allow our staff to adjust to this requirement.

The fourth requirement asks that extension requests be submitted at least 10 calendar days prior to the original due date and contain the proposed due date. We have attempted to meet this request in the past and, with a few exceptions, have succeeded. We will meet this requirement.

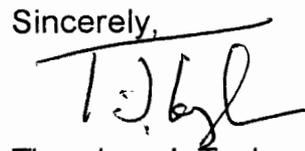
Thank you for the opportunity to clarify the intent of the letter. Please let us know if you or your staff need any further clarification or if we have misunderstood the intent of the letter.

Sincerely,



Jorg Jansen, Program Manager
LANL/ER Project

Sincerely,



Theodore J. Taylor, Program Manager
DOE/LAAO

JJ/TT/rfr

Cy: G. Allen, CST-18, MS E525
T. Baca, EM, MS J591
T. Glatzmaier, DDEES/ER, MS M992
G. Gould, ESA-EPE, MS G787
D. Griswold, AL-ERD, MS A906
J. Harry, EES-5, MS M992
B. Hoditschek, NMED-HRMB
D. Krier, EES-1, MS D462
M. Leavitt, NMED-GWQB
R. Michelotti, CST-18, MS E525
N. Naraine, DOE-HQ, EM-453
D. Neleigh, EPA, R.6, 6PD-N
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