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MAR 15 1993

NM ENVIRONMENT DEPARTMENT
OFFICE OF THE SECRETARY

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Ms. Kathleen Sisneros
Director, Water and Waste Management Division
New Mexico Environment Department
P. O. Box 26110
Santa Fe, New Mexico 87503

RE: Compliance Orders NMHWA 93-01, 93-02, 93-03 and 93-04,
Los Alamos National Laboratory, ID. No. NM0890010515

Dear Ms. Sisneros:

This joint submittal is intended to meet the requirements of the schedules of compliance set forth in the above-referenced Compliance Orders. By letter of February 8, 1993, NMED extended the timeline for making this submittal until March 15, 1993. At our meeting of February 19, you agreed to consider a further extension of time for completion of the NMED-approved plan required under Compliance Orders 93-02 (paragraph 1) and 93-03 (paragraph 1). DOE counsel, Joyce Laeser, requested this extension on our behalf on March 11, 1993. This submittal addresses all other items in the schedules of compliance other than the requirement for an NMED-approved plan.

Compliance Orders 93-01 and 93-04:

Paragraph 1. Submit documentation to NMED that Respondent has removed all hazardous waste stored at TA-3-40, or alternatively, documentation that the waste stored there is not hazardous waste subject to the HWA.

Attachment A includes photographs showing the removal of the container at TA-3-40, on September 3, 1992. As the pictures illustrate, the container was drained and the sludge was removed during the removal of the tank. The sludge was placed in barrels, labeled, and transported to TA-54, Area L, a permitted storage area.

During our meeting of February 19, we agreed to submit the analytical data from the sampling of the waste at TA-3-40. Attachment B is a copy of those sampling results, as well as chain of custody documentation. Analyses were performed for cyanides, heavy metals, and volatile organic compounds.



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Paragraph 2. Submit documentation that Respondent has properly labeled the hazardous waste container at TA-3-40, or, alternatively, documentation that the waste stored there is not hazardous waste subject to the HWA.

As noted in our response to Paragraph 1, the container at TA-3-40 was disassembled and removed from service on September 3, 1993, therefore there is no further need for labeling.

Paragraph 3. Submit documentation to NMED that Respondent has provided all necessary personnel training to whoever has not had such training, or alternatively, if such training has not yet been completed, provide such training and documentation within ten (10) working days after receipt of this Order.

Respondents have denied Count 17 of the Compliance Orders related to the unavailability of training documentation based on the lack of specificity in the Orders, because neither the identity or work location of the individuals was specified. Subsequent to the issuance of the orders, NMED identified three individuals for which it alleged that training documentation was unavailable. DOE and the University share NMED's concern that people working in hazardous waste management areas have proper training. Attachment C includes documentation that those identified individuals have received the appropriate training. Respondents are considering instituting procedures which would result in periodic review of training records.

Paragraph 4. Submit copies of the original manifests signed by the offsite facility for the hazardous waste shipments dated September 26, 1991 and September 19, 1991.

As discussed in our meeting of February 19 and our Answers to the Compliance Orders, the Laboratory has been unable to locate the original manifests and is unsure whether the manifests were received or whether they were misfiled. You agreed at our meeting that a certification from the offsite facility would suffice to meet the requirements of this submittal. Enclosed as Attachment D are certifications from Chemical Waste Management and Rollins Environmental Services indicating that the attached copies of manifest numbers 91212 and 91193-91197 are true and accurate copies. Please note that Rollins used the State manifest numbers in its letter rather than the manifest document number to identify the documents. The Laboratory instituted comprehensive procedures in January of this year to insure that manifests are properly processed.

Paragraph 5. Submit documentation to NMED that Respondent has properly labeled the LDR waste containers at TA-54 Area L.

Respondents have denied Count 20 based on lack of specificity because the Compliance Orders did not identify the containers which were alleged to be improperly marked. NMED staff subsequently identified three drums numbers which it alleged to be improperly labeled, and on February 4, 1993, the Laboratory

reviewed its information regarding these three drums. Drum number D91006541L was found to have been previously profiled and contains phosphorus wastewater. Because the phosphorus content was insufficient to constitute a reactive waste, the drum was relabeled as nonhazardous radioactive waste.

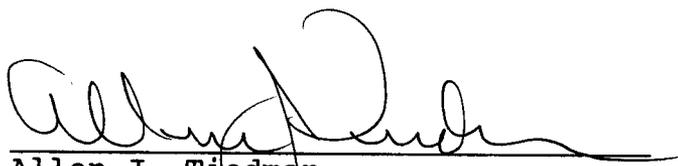
On February 24, 1993, drums number D893604L and D893605L were opened for purposes of sampling. Upon opening, each container was found to contain two 10 gallon carboys with labels identifying their point of generation as the TA-3-66 electroplating shop. Based on pH and color of the waste solution, the content of the waste was determined to be a waste copper nitrate solution exhibiting a pH of less than 10 and containing trace amounts of silver. Consequently, both containers were labeled as D002/D011 mixed waste.

Compliance Orders 93-02 and 93-03:

Paragraph 2. Provide documentation to NMED that Respondent has transferred the wastes in those containers of the fourteen (14) exhumed at TA-54 Area G Pad #2 that are not in good condition or which are beginning to leak, to containers that are in good condition or managed the waste in some other way that complies with the requirements of the HWA.

As indicated in our Answers to the Compliance Orders, on April 7, 1992, sixteen (16) drums of waste were removed from Pad # 2. Attachment E includes photographs of the removal operation. Each container was hoisted out of the pad and immediately packaged in heavy polyethylene bags. The 16 drums were taken to the drum preparation facility at Area G on April 8 and a decision was made to immediately overpack the drums in 83 gallon steel containers. Most of the drums were overpacked on April 8. After acquiring additional overpacks, the remaining drums were in overpacks by April 9. Attachment F is a memorandum from the technical supervisor overseeing the removal and overpacking operations, verifying the sequence of events.

We believe that this submittal meets the requirements of the Compliance Orders. Please call us if you have questions or require additional information.


Allen J. Tiedman
Associate Director for Operations
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Jerry Bellows
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