



Permit

Cobg

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

JUN 15 1994

Mr. Benito Garcia, Chief
Hazardous and Radioactive Materials Bureau
State of New Mexico Environment Department
525 Camino de los Marquez
Marquez Place, Suite 4
Santa Fe, NM 87502

Dear Mr. Garcia,

In August 1993, the Environmental Protection Agency's (EPA) National Enforcement Investigations Center (NEIC), in conjunction with Region 6 and the New Mexico Environment Department (NMED), conducted a multi-media compliance investigation of Los Alamos National Laboratory (LANL).

The inspection revealed several areas of RCRA non-compliance. (Please see Enclosure.) Based on discussions between my staff and your staff, it is our understanding that NMED plans to take appropriate enforcement action against all of those areas of RCRA non-compliance discovered in the inspection. This may include areas outside of the EPA authorized program such as the RCRA Land Disposal Restrictions (LDR).

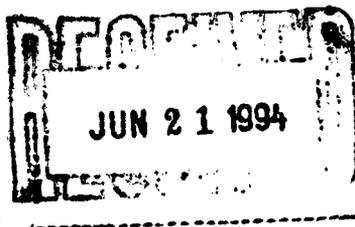
We request that your office provide us with written confirmation of NMED's plans with regard to RCRA enforcement actions resulting from the August 1993 NEIC.

If you have any questions or need further information, please contact me or have your staff contact Joel Dougherty of my staff at (214) 655-2281.

Sincerely yours,

Randall E. Brown, Chief
RCRA Enforcement Branch
Hazardous Waste Management Division

Enclosure



16573



Printed on Recycled Paper

ENCLOSURE

NATIONAL ENFORCEMENT INVESTIGATIONS CENTER MULTI-MEDIA COMPLIANCE INVESTIGATION LOS ALAMOS NATIONAL LABORATORY

Areas of Noncompliance

40 CFR § 262.11

Inadequate waste determination at several areas:

Metal containing wastes from septic tank at TA-0
Wastewater treatment sludge generated at TA-50
Containers pending analysis at TA-50 and other TA's
148 gas cylinders stored at TA-54 gas cylinder storage
Metal-containing treatment sludge from TA-22, Bldg 91

40 CFR § 262.20(a)

Transportation on public roads without proper EPA manifest.

40 CFR § 262.34(a)(3) & § 262.34(c)(1)(ii)

Storage of high explosives accumulating in rest house TA-16-261 in improperly labeled containers.

Storage of spent trichloroethane in TA-3, Bldg 66, RM P1A in improperly labeled containers.

40 CFR § 262.34(c)(1)

Hazardous wastes not accumulated under control of the operators of the process at satellite accumulation areas:

TA-0, Bldg 1237, RM 203 (Pueblo Complex)
TA-3, Bldg 40 (entrance to corridor)
TA-3, Bldg 40, RM W112
TA-3, Bldg 66, RM P1A
TA-11, Bldg 24
TA-21, Bldg 3, RM 361S
TA-35, Bldg 46, RM 102
TA-35, Bldg 85, RM 106B
TA-35, Bldg 125, RM F108
TA-35, Bldg 255, RM 101
TA-60, Bldg 1 (wastes from TA-60, Bldg 17)

40 CFR § 262.34(c)(2)

Greater than 55 gallons accumulated at TA-35, Bldg 85, RM 106B without permit or interim status.

40 CFR § 264.13

Waste Analysis Plan was not updated to include TCLP.

40 CFR § 264.16(c)

Ten facility personnel (out of 13 reviewed) engaged in hazardous waste activities did not take part in annual review of hazardous waste management program.

40 CFR § 265.31

Metal building used for less-than-90-day accumulation area storing ignitable liquids not grounded for fire protection at TA-21, Bldg 427.

40 CFR § 265.32

No internal communications or emergency instructions at several areas:

TA-3, Bldg 2133
TA-21, Bldg 427
TA-22, Bldg 91, RM B160

40 CFR § 265.32(b)

No devices available to summon emergency personnel at TA-3, Bldg 2133.

40 CFR § 265.32(c)

No portable fire fighting equipment at less-than-90-day accumulation area at TA-21, Bldg 427.

40 CFR § 265.173(a)

Container in TA-35, Bldg 213, RM B24 left open when wastes not added or removed.

40 CFR § 268.7(a)(1)(iii)

Manifest numbers not included on LDR notifications for 13 shipments.

40 CFR § 268.7(a)(4)(ii)

No Waste Analysis Plan on file at State or Region for Lead Decon Trailer at TA-50.

40 CFR § 268.7(a)(7)

Copies of LDR notifications not retained for 23 manifested shipments.

40 CFR § 268.50(a)(2)(i)

No accumulation start date on 5 gas cylinders of restricted and mixed hazardous waste at TA-54 gas cylinder storage and three drums of mixed waste stored at TA-54.

40 CFR § 268.50(b)

Storage of restricted hazardous waste beyond one year:

1/3 full drum of spent trichloroethane at TA-3, Bldg 66
1 container at TA-54, Bldg 32
5 containers at TA-54, Bldg 69
600 gas cylinders at TA-54 gas cylinder storage

40 CFR § 270.71(a)(2)

Treatment of hazardous waste in five units at TA-16 by processes not specified in the Part A.

flash pad at Bldg 387
burn pads at Bldg's 388 & 399
sand pit vessels at Bldg's 401 & 406

Treatment of hazardous waste in burn cage at TA-14 not specified in the Part A.

Areas of Concern

1. Dates incorrectly marked on hazardous waste labels on containers in satellite accumulation areas. Unneeded additional information included on labels causes confusion.
2. Areas designated as satellite accumulation areas not near any point of generation.
3. Ash from open burning sites may have contained listed wastes, but were disposed of as non-hazardous. (The is barium sand and ash generated at TA-16 OB/OD sites which may have contained spent toluene and MEK.)
4. Wastewater sludges from aluminum anodizing tanks may contain heavy metals, but waste is not tested and is drummed and disposed as non-hazardous. (This involves discharging of tanks at TA-3, Bldg 66 into the TA-50 wastewater treatment plant. Sludges are then disposed as non-hazardous.)
5. Wastewater treatment sludge (F006) improperly disposed in low-level radioactive landfill at TA-54. Facility did not make an adequate waste determination.
6. Cracked berm for run-on at solid mixed waste storage area, TA-54, Area G, Bldg 49 storage dome.
7. Mixed waste container storage area at TA-54, is not bermed to prevent run-off into canyon.
8. Thermal treatment unit at TA-55 will need to be permitted prior to treating any hazardous wastes.
9. Use of a provisional EPA I.D. number at the Fenton Hill Geothermal Site.
10. Inspection forms used on site are not specific to the individual units.
11. Job titles and descriptions of waste management positions are vague and do not specify RCRA related duties.

12. High toxicity solvents (freon, 1,1,1-TCA) were found in squirt bottles where employees stated that only low toxicity solvents (alcohols, acetone) were used (TA-8, TA-35, TA-60, TA-61).

13. LANL is having major difficulty obtaining funding for waste minimization program. This program is mandated by the FFCA.