Los Alamos

Los Alamos National Laboratory
Los Alamos, New Mexico 87545

memorandum

TO: Hassan A. Dayen, CIC, MS B260

DATE: September 29, 1994

FROM: Dennis Erickson, DD-ESH Jerry

MAIL STOP/TELEPHONE: K491/7-4218

SYMBOL: ESH-DO-94-647-1

SUBJECT: **APPARENT FINDINGS FROM THE ANNUAL RCRA INSPECTION OUT-BRIEFING**

Attached is a list of apparent findings identified for your particular Division by the New Mexico Environment Department (State) inspectors at the out-briefings on 9/22 & 23/94. Following each finding is a best guess by ESH-19 concerning the seriousness of this finding. Each finding was rated either major, moderate or minor based upon their past experience and knowledge of the State's ranking of findings. A finding may be considered major if it poses a substantial risk to either human health or the environment It may also be considered major if it is either a moderate or minor finding that has been repeated from a previous inspection.

Please keep in mind that this is the State's list of apparent findings. The word apparent is stressed. Once the State completes its inspection report the total number of findings could be increased or decreased. In the past the number of findings have always risen.

At the out-briefing the State inspectors said they would entertain any additional information subsequently sent to them that might further clarify or alter their apparent findings. This submittal must be timely and therefore be submitted in the next two weeks.

This provides us with the opportunity to take a pro-active stance. We can demonstrate to the State that we are serious when we say there is a changed environment at the Laboratory. That the Laboratory takes environmental issues seriously and will be responsive to issues raised by the State. We must now review each of these apparent findings and see if they are truly findings. If they are we must take steps to correct them as quickly as possible and provide the State with evidence of our good faith effort. If they are not then we need to provide the appropriate evidence. If they should fall into a gray area we need to be as pro-active as possible. Take action on them now and dispute the issue at a later date.

Please have the appropriate members of your staff work with your ESH-19 (ESH-8) Hazardous Waste liaison on this issue to insure that appropriate actions are taken, recorded and forwarded to the State.

AM/JEE:es

Attach: a/s

Cy: Jack Ellvinger, ESH-19, MS K498
HSWS File, (94-0339-1), MS K498
ESH-DO File, MS K491

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LIST OF APPARENT FINDINGS

CIC Division:

* TA-3, SM43, C4 & C4A - CIC-17 - Two unlabeled containers were identified. **(major)**
* TA-3, SM132-260A - CIC-18 - A print machine with a container of used kerosene in it had no satellite accumulation point sign on the door. **(moderate)**
* TA-3-132-187 - CIC-18 - Two containers were found with no accumulation start dates. **(major)**
* TA-61-23 - CIC-4 - At this satellite accumulation point several boxes of nicad batteries were found with no labels and the total volume exceeded 55 gallons. **(major)**