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GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
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October 5, 1995

H. L. "Jody" Plum
Office of Environment and Projects
U.S. Department of Energy
Los Alamos Area Office
Los Alamos, New Mexico 87544

Dear Mr. Plum:

The Hazardous and Radioactive Materials Bureau (HRMB) of the New Mexico Environment Department (NMED) has reviewed the information submitted in your August 30, 1995 letter concerning disposal of hazardous waste generated by Los Alamos National Laboratory (LANL) into the Los Alamos County Landfill. HRMB has determined that, based on the information provided, no actual harm apparently occurred. Additionally, although an act of illegal disposal and unauthorized shipment occurred, the quantity of hazardous waste involved is insignificant.

LANL's failure to comply with proper shipping and disposal requirements in this case would normally necessitate issuance of a compliance order. However, due to the fact that LANL brought this matter to NMED's attention immediately upon discovery, and due to the factors described in the above paragraph, HRMB has decided that, at this time, enforcement action in this particular matter is not warranted or necessary. However, please be aware that this current decision does not preclude any action HRMB may determine to be appropriate in the future.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Coby Muckelroy at (505) 827-1558.

Sincerely,

Benito J. Garcia
Chief
Hazardous and Radioactive Materials Bureau

BJG:CGM:cm

xc: David Duran, NMED Solid Waste Bureau



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