

HSWA LANL GIM/98



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-1557
Fax (505) 827-1544



MARK E. WEIDLER
SECRETARY
EDGAR T. THORNTON, III
DEPUTY SECRETARY

March 23, 1998



Mr. Michael J. Zamorski
Acting Area Manager
Kirtland Area Office
US Department of Energy
P. O. Box 5400
Albuquerque, New Mexico 87185-5400

RE: LANL receipt of TRU Waste generated off-site

Dear Mr. Zamorski:

The New Mexico Environment Department (NMED) has received information from both private sources and US Department of Energy (DOE) press releases that Sandia National Laboratories/New Mexico (SNL) expects to ship its TRU waste to Los Alamos National Laboratory (LANL) for the characterization necessary to meet Waste Isolation Pilot Plant Waste Acceptance Criteria.

NMED wishes to advise DOE and SNL that in order to receive waste from off-site, LANL must complete a permit modification under the provisions of 20 NMAC 4.1, Subpart IX, 40 CFR 270.42. In Module II of the LANL RCRA Permit, Permit Condition II.B.2. reads, "Off-Site Wastes. This permit does not allow the Permittee to accept waste from an off-site source." SNL is an off-site source under this condition of the LANL Permit. Any waste shipped to LANL from SNL must have undergone analysis to verify that it is TRU only and not a mixed or hazardous waste. LANL acceptance of off-site hazardous or mixed waste would be a violation of current permit conditions and would subject LANL to enforcement action.

Should you have any questions or comments regarding this matter, please contact me at 827-2855 or Dr. Robert S. (Stu) Dinwiddie of my staff at 827-1561.

Sincerely,

Ed Kelley, Ph. D., Director
Water and Waste Management Division

cc: Benito J. Garcia, NMED/HRMB
Ted Pietrok, DOE/KAO
David Neleigh, EPA

TK

