

STATE OF NEW MEXICO

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NVIROMENTAL
MPROVEMENT
DIVISION

Permit

1 (copy)

TONEY ANAYA
GOVERNOR

DENISE D. FORT
DIRECTOR

CERTIFIED MAIL RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

TA-50
TA-16

October 14, 1986

Mr. Harold Valencia
Area Manager
U.S. Department of Energy
Los Alamos, NM 87544

Re: NM0890010515
RCRA Permit Application

Dear Mr. Valencia:

The New Mexico Environmental Improvement Division has reviewed Los Alamos National Laboratory's (LANL) permit application materials (Part B). That application is incomplete and will require further information submittals from LANL. Specific deficiencies are listed below, along with the corresponding HWMR-3 section reference.

Red LANL 84-89

1. 302.A.4.a.(14). The process(es) for treating or storing hazardous wastes are not completely described. Every unit at LANL which treats, stores or disposes of hazardous waste must be either permitted or properly closed. Specific known unreported units are:
 - a. TA-50 Industrial Wastewater Treatment Facility. This unit receives hazardous waste treatment residues from the batch waste treatment facility and emission control system effluent from the controlled air incinerator, both of which are a hazardous waste. See HWMR-3, Section 201.A.3.c.(2).
 - b. TA-16. The surface impoundment which stores the filtrate from the K044 explosive waste materials shows toxic levels of barium, listed waste D005. Treatment occurs in this impoundment to meet NPDES standards before the waste water is discharged. See 40 CFR 261.4 (a)(2) "Comment"; LANL letter of July 2, 1986, to EPA and EID; and HWMR-3, Section 301.B.2.

LANL must amend the permit application to include the above-listed units or submit closure plans for any unit not to be permitted. All appropriate information required by HWMR-3, Sections 302., 206. B. and 206. D. must be included for permitting to proceed. Additionally, any similar units which store or are used to treat hazardous wastes prior to discharge under NPDES should be included.

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2. 302.A.4.a.(14). Application paragraph 3.1.1. states that the waste chemicals require off-site disposal. Paragraph 3.2.7. refers to the Part A. in application Section 1.2. The Part A indicates most wastes will be incinerated, process code "T03", which implies the LANL incinerator. The ultimate fate of the listed wastes needs to be clearly identified.
3. 302.A.4.a.(14). The description on application page 4-3 of the treatment process for the Batch Waste Treatment Facility (BWTF) states that effluent is placed in drums for disposal. On page 4-5 the description implies that the effluent is released to the environment through the Industrial Waste Treatment Facility. This latter is reaffirmed in Appendix M-2, the operating procedures for the BWTF. These conflicting statements must be reconciled.
4. 302.A.4.b.(1)(h)(ii). There is no provision to prevent run-off from TA-54, Area L. to the environment before it is analyzed to verify it is not contaminated.
5. 302.A.4.b.(2)(b)(i). No references to design standards used for the treatment tanks in TA-54, Area L, are provided. See HWMR-3, Section 206.D.5.b.
6. 302.A.4.b.(2)(c). The required information for the surface impoundment in TA-16 is not provided. No waste listing, design detail, groundwater monitoring data or waiver request, inspection plan or closure plan are provided.
7. 302.A.4.b.(3). No groundwater protection data for the TA-16 surface impoundment are provided. If any other surface impoundments are identified as referenced in deficiency 1. above, groundwater data for those units should also be provided.
8. 302.B.1. The EPA Form 3510-1 is unsigned. Further, the copy is neither legible nor reproducible. The EPA Form 3510-3 is a copy and does not contain original signatures. It also is neither legible nor reproducible. Enclosed are new forms. Please submit reproducible forms with original signatures.
9. 206.B.4.c. Application paragraph 6.2 indicates that warning signs only in English will be posted at the controlled air incinerator. Warning signs stating "Danger, Unauthorized Personnel Keep Out" in English and Spanish must be posted at all areas where hazardous wastes may be routinely handled or stored. This would also include TA-16 and other areas identified in deficiency 1. above.
10. 206.B.7 requires that precautions be taken to prevent mixing of incompatible wastes. Handling of wastes to be incinerated is not described in sufficient detail to determine if any precautions are taken. The only description is in application paragraph 4.3., a reference to creation of lab packs at TA-54, Area L. Compositing of drums of waste to be incinerated should occur under control of knowledgeable individuals in well-designed facilities.

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11. 206.B.10.h. requires a description of emergency response equipment. Application paragraph 7.5.1. lists an "organic solvent spill" and "acid and caustic spill" kits. No description or identification of the contents of such kits are provided. Application paragraph 7.5.1.1. then states that all chemical spills except hydrofluoric acid will be controlled with vermiculite. It is unclear if this is intended to describe the organic solvent, acid and caustic spill kits.
12. 206.D.2.c.(1)(d) requires that closure plans include the total time estimated to implement the plan. Application Tables 9-6, 9-7 and 9-11 do not provide the total schedule time.
13. 206.D.2.d. provides a maximum of 180 days to complete closure. Application Table 9-11 indicates that 470 days are planned to close TA-54, Area L. This excessive time is not fully justified. Separation of the activities into closure of the storage unit and the treatment tanks may allow for meeting the regulatory requirements.
14. 206.D.5.c.(1) requires that tank materials be compatible with the wastes treated therein. Application paragraph 2.1.3.2. indicates that lithium hydride is the "waste most commonly oxidized" in the TA-54, Area L. tanks. The Part A. in application section 1.2 lists numerous wastes to be treated in tanks, process code "T01". A definitive distinction as to which wastes are to be treated in which tanks and in what manner should be made so that compatibility may be evaluated.
15. 206.D.5.d.(2). There is no proposed measurement program to monitor the Batch Waste Treatment Facility tanks for tank wall deterioration under the Kynar (c) lining. Application page 6-3 describes only a visual inspection to determine system degradation. Some type of non-destructive inspection process should be scheduled on a periodic basis. A similar inspection program should be in effect for the tanks at TA-54, Area L.

Failure to submit a complete application may be grounds for permit denial. In accordance with Section 74-4-10, NMSA 1978 and HWMR-3, Section 302, LANL has 30 days from receipt of this notice to modify the application to correct these deficiencies. Failure to submit a revised application or closure plans, as appropriate, within 30 days is also a violation of HWMR-3 and will subject LANL to civil penalties or a compliance order, pursuant to Section 74-4-10, NMSA 1978.

Compliance with the requirements of this letter does not relieve LANL of its obligation to comply with the HWMR-3 in other activities which it carries on, nor does it relieve LANL of its obligation to comply with any other applicable laws and/or regulations.

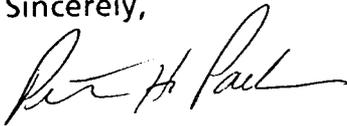
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Please note that the additional requirements of the Hazardous and Solid Waste Amendments of 1984 will be addressed by EPA Region VI.

Please provide to the EID three copies of your response and one copy to EPA Region VI, Attention Carlos Castillo (6H-HS).

If you have any questions, please feel free to call me or Mr. C. Kelley Crossman of my staff at (505) 827-2923.

Sincerely,



Peter H. Pache
Program Manager
Hazardous Waste Section

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cc: Carlos Castillo, EPA (6H-HS)
Mark Sides, EPA (6H-CP)
Duff Westbrook, EID Legal Bureau
Tony Drypolcher, LANL (HSE-8)