



Department of Energy
Albuquerque Operations
Los Alamos Area Office
Los Alamos, New Mexico 87544

NOV 4 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Allyn M. Davis
Director
Hazardous Waste Division, 6H
U. S. Environmental Protection Agency
1445 Ross Avenue
Dallas, Texas 75202-2733

RECEIVED

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Dear Mr. Davis:

HAZARDOUS WASTE SECTION

Enclosed is a copy of the revision to the Department of Energy's (DOE) Los Alamos National Laboratory (the Laboratory) Part B Resource Conservation and Recovery Act (RCRA) permit application to include the Laboratory's open burning/open detonation units. The requirement for this revision is derived from new regulations promulgated at 40 Code of Regulations (CFR) Part 264, Subpart X, on December 10, 1987. These regulations set forth requirements for the operation of miscellaneous hazardous waste management units including units used for open burning or open detonation of explosive and reactive wastes. As you are aware, the State of New Mexico's Environmental Improvement Division (NMEID) has yet to adopt these regulations under its Hazardous Waste program, and the U.S. Environmental Protection Agency (EPA) has invoked its authority under 40 CFR 264.1(f) (2) to implement the requirements in all states at the same time, regardless of their authorization status.

Section 3005(c) of RCRA requires that facilities operating miscellaneous units under interim status submit Part B RCRA permit applications for these units by November 8, 1988. The Laboratory currently operates 12 open burning/open detonation units in several technical areas at the facility. These units have interim status authority and are currently managed as 40 CFR Part 265, Subpart P thermal treatment units. DOE has included these units in this Part B revision.

Although EPA has not finalized guidance on the preparation of Part B applications for miscellaneous units, the U.S. Department of the Army has prepared a draft permit writer's guidance manual for Department of Defense open burning/open detonation units. This guidance manual, in addition to draft written comments on the manual prepared in July 1988 by EPA's Office of Solid Waste, was used in part in revising the Laboratory's Part B application to include these Subpart X units.



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The major revisions contained in this submittal are responsive to the Subpart X requirements; however, additional minor revisions were made, where necessary, to improve the quality of the permit application as a whole. Please note the following specific changes:

1. Part A of the permit application has been reprinted in total and no longer depends upon previous submittals. In addition, this revision addresses concerns delineated by NMEID in a September 16, 1988 transmittal to DOE regarding the Laboratory's Part A.
2. The waste analysis plan, Section 3.0, has been revised to include the "California List" and the "First Third" land disposal restrictions and to clarify procedures established to comply with 40 CFR 268. This revision serves as a formal response to the Warning Letter issued to DOE by EPA on October 11, 1988 regarding land disposal restrictions.
3. Housekeeping changes have been made to the Part B to ensure completeness and accuracy such as changing the word "facility" to "unit" where appropriate and identifying the change in designation of State Road 4 to 502.

If you should have any questions about this submission, please call Donna Lacombe of my staff at (FTS) 843-5288.

Sincerely,


Harold E. Valencia
Area Manager

2DL-010

Enclosure

cc:

 C.K. Crossman, NMEID, Santa Fe, N.M.