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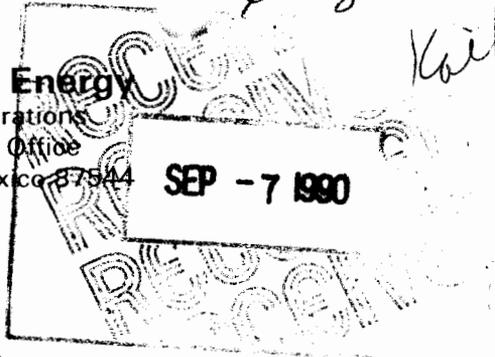
**Department of Energy**  
Albuquerque Operations  
Los Alamos Area Office  
Los Alamos, New Mexico 87544

*Elizabeth  
Kathy*

**SEP -7 1990**

*LANL*

**SEP. 04 1990**



*P 473 1152 570*

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Richard W. Mitzelfelt  
New Mexico Environmental Improvement Division  
Health & Environment Department  
1190 St. Francis Drive  
Harold Runnels Building  
Santa Fe, New Mexico 87503

*LANL TA-3  
1990*

**RECEIVED**  
SEP 06 1990  
EID DIRECTOR'S OFFICE

Dear Mr. Mitzelfelt:

The Department of Energy (DOE) and the Los Alamos National Laboratory (LANL) are copermittees to Hazardous Waste Facility Permit Number NM 0890010515-1 (Permit) issued on November 8, 1989. Under Permit Attachment I, Additional Data Submittal Schedule, we are required to compile a listing of the solid waste streams at Technical Areas (TAs) at LANL. Pursuant to HWMR-5, Part IX, 40 CFR 270.42, Minor Modifications of Permits, we hereby request that the Environmental Improvement Division (EID) to modify the Permit to allow an additional 120 days for the submission of the information required by Attachment I.

In addition, Attachment I requires us to investigate solid waste streams within TA-3 and submit a report of the findings at the end of nine months. While TA-3 does not involve large single volumes of hazardous wastes, there are a large number of varied LANL organizations that generate hundreds of solid waste streams that must be investigated. Because "solid waste streams" is a broad category, this will include wastes from offices, photo labs, demolition/construction, cafeterias, and other processes and experimental activities. Therefore, we are requesting that submittal of the TA-3 investigation and report be delayed to the end of the 21st month, understanding that it will be commenced immediately and run concurrent with the studies of the preceding TAs.

Another requirement of Attachment I is to supply all information obtained during the investigation to EID. We do not feel this is the intent or desire of EID for several reasons. Because the investigation entails all solid waste streams, there will be many records that do not involve hazardous wastes. This would involve submittal of hundreds of records that would be of no value to EID. In addition, much of the information, both hazardous and nonhazardous, will be classified. Certain other information is considered by DOE to be sensitive, even though it is unclassified, and it cannot be released by LANL for public dissemination. Sensitive information (e.g., Unclassified Controlled



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Nuclear Information, Export Controlled Information, Official Use Only Information) is generally available to persons with a Need-to-Know (including EID and Environmental Protection Agency uncleared personnel), but it is not available for public dissemination. LANL will continue to keep all records on-site and available for inspection/copying by EID.

The classified records would be available to EID's Q-cleared personnel for inspection at any time, but could not be copied.

An additional reason for not supplying all of this information to EID is because of the ephemeral nature of the data, i.e., the majority of the information is only accurate at that point in time when the analysis was made. LANL is instituting a program whereby the generator of the waste will be responsible for certifying to the character of the waste, either by chemical/physical analysis or knowledge of process. This will be an ongoing process and provide much better information. These records will be maintained by LANL and available on the same basis as mentioned above.

LANL has redesignated and redefined some TAs since issuance of the Permit. The following is a listing of those TAs and our proposed time period for completion of the waste stream characterization:

<u>Technical Area</u>	<u>Proposed Completion Date</u>
60 (formerly part of TA-3)	Same as TA-3
61 (formerly part of TA-3)	Same as TA-3
63 (previously undesignated area)	Same as TA-52
64 (new Central Guard facility)	Same as TA-48
66 (A-TAC facility)	Same as TA-54
69 (previously undesignated area)	Same as TA-6
72 (Guard's firing station)	Same as TA-57
73 (Los Alamos Airport)	Same as TA-57

We look forward to your response to these proposals.

Please contact Dr. Paul Schumann of my staff at 665-5027 if you have questions concerning this request. Thank you for your assistance in this matter.

Sincerely,

*David A. Padilla*  
for Harry T. Season, Jr.  
Acting Area Manager

LESH:PBS:0041

cc:

A. Davis, USEPA, Region 6, Dallas, TX  
John Themelis, EHD, AL  
A. J. Tiedman, ADO, LANL, MS A120