

# Los Alamos

Los Alamos National Laboratory  
Los Alamos, New Mexico 87545

## ENVIRONMENTAL PROTECTION (HSE-8)

### FAX TRANSMITTAL SHEET

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DATE: 12/18/90

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FROM: Ken Hargis, HSE-8 PHONE #: ( ) 7-5021

MESSAGE: Attached is some background information  
on the Notice of Violation of the Lab's Hazardous Waste  
Facility permit. Please contact me if there are  
questions or additional information is needed.

<p>SECTION LEADER APPROVAL: _____</p> <p>GROUP or DEPUTY GROUP LEADER APPROVAL: <u>MMH</u></p>
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NUMBER OF PAGES TO FOLLOW: 2

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December 6, 1990



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BACKGROUND  
ON  
NOTICE OF VIOLATION  
FROM NM ENVIRONMENTAL IMPROVEMENT DIVISION  
ATTACHMENT I TO HAZARDOUS WASTE FACILITY PERMIT  
Ken Hargis, HSE-8

Attachment I to Los Alamos National Laboratory's Hazardous Waste Facility Permit requires that all solid waste streams be characterized under a 39-month schedule set out in the permit, and that the information be compiled and submitted to the New Mexico Environmental Improvement Division (NMEID) on a quarterly basis. Information from specified technical areas is due each quarter.

The Notice of Violation alleges that the information required to be submitted to the NMEID under the first three submittals has not been received, and that the Laboratory is in violation for this reason.

Solid waste streams are presently being characterized as required by the permit under a contract managed by the Environmental Protection Group (HSE-8) with International Technologies Corporation. As of December 1990, all waste streams required to be characterized under the schedule specified in the permit have been characterized.

It has been recognized since the permit was issued by the NMEID that problems existed with this provision (Attachment I) of the permit because of the extensive characterization requirements and the fact that some of the information will likely be classified as national security information or otherwise sensitive. A draft letter requesting a modification to the permit was submitted to DOE/LAAO in April 1990 for submittal to the NMEID. This included requested changes in the schedule of technical areas to be characterized, as well as requested alternative reporting requirements that would require submittal of a summary of waste stream characterization information rather than submittal of all information as presently required by the permit. Legal issues arose during LAAO's review of the draft letter and the letter was not actually submitted by DOE/LAAO to the NMEID until late August 1990.

A meeting was held by HSE-8 and LAAO ES&H personnel with the NMEID on September 19, 1990. Kirk Jones, Deputy Director of the NMEID, indicated that he was willing to consider "supply the information" as making the information available for review by NMEID at the Laboratory. A meeting was also set up for the following week for the NMEID to review the proposed alternative reporting requirements. The proposal was discussed by HSE-8 staff with the NMEID Hazardous and Radioactive Waste Bureau staff, and it was the