

Permit



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

FACSIMILE TRANSMISSION FORM

FROM: *Barbara Driscoll*
New Mexico - Federal Facilities Section (6PD-N)
Multimedia Media Planning and Permitting Division

TELEPHONE: (214) 665-7441 **FAX TELEPHONE:** (214) 665-7263

DATE: 4-9-96 **TIME:** _____

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 2

TO: Barbara Auditschek

ORGANIZATION: NMED

TELEPHONE: 505-827-1561

FAX TELEPHONE: 505-827-1544

COMMENTS: _____



Temporary Authorization
For Permit Modifications

- * In 1994, both LANL and SNL needed to complete some cleanups for which they wanted EPA approval. EPA suggested that in order to expedite the work that EPA could grant a temporary authorization (TA) provided EPA approved of the work to be conducted.
- * This was supposed to be a one time event; however, both labs did not have any sites ready for cleanup in FY94. In FY95, planning was not better and the labs submitted requests for cleanups in the spring. EPA approved a TA for 4 sites at LANL, and for some sites at SNL. EPA also disapproved request for TAs at both facilities; because of concerns with the work to be conducted or the cleanup levels.
- * EPA has ceased to grant TAs; because of the perception that we are approving work without full public input. In addition, EPA thinks that the labs should be planning better, and everything should not be a last minute rush. Their poor planning creates a situation where EPA has to respond quickly in order to meet the labs timeframes. Another concern, as far as LANL, the cleanup levels that were being proposed were less than 10^{-6} and EPA could not readily agree to them.

Process Flow:

1. Class 3 permit requested: Public notice of 60 day comment period and meeting with notice of intent to request TA.
2. Regulator reviews documents during timeframe and issues NOD if needed.
3. Public comment ends: Regulator reviews comments.
4. Facility responds to NOD and requests TA to proceed with work.
5. If regulator agrees to work then may grant TA. If there are concerns then TA is denied.
6. Regulator public notice (45 day comment period).
7. Regulator receives final report detailing work completed.
8. Regulator issues final determination.

Steps 7 and 8 can be interchanged. The regulator can issue a final decision as to the appropriateness of the remedy, and the final cleanup levels. In this case the regulator would indicate that once the cleanup is confirmed the schedule for that SWMU would be terminated.