

Permit

7/1/97

RCRA Permit No. NM0890010515
DOE/LANL
New Mexico Environment Department

STATEMENT OF BASIS

**Approval of No Further Action
for 3 Solid Waste Management Units (SWMUs)
U.S. Department of Energy
Los Alamos National Laboratory
Los Alamos, New Mexico
RCRA Permit No. NM0890010515**

The New Mexico Environment Department (NMED) has made a final determination to approve the US Department of Energy / Los Alamos National Laboratory / New Mexico (DOE/LANL) request to remove 3 Solid Waste Management Units (SWMUs) from the Hazardous and Solid Waste Amendments (HSWA) Corrective Action module. This module is part of the DOE/LANL Resource Conservation and Recovery Act (RCRA) permit, No. NM0890010515.

A. FACILITY DESCRIPTION

LANL is 43 square miles in size and is located adjacent to the town of Los Alamos, New Mexico. The facility is located on a mesa and canyon landscape with relief averaging about 300 feet from the tops of the mesa to the canyon bottoms. The majority of the building and technical areas (TAs) are located on the mesa tops.

LANL has been in operation since the early 1940's. It is a government owned (by the Department of Energy) and contractor operated (by the University of California). LANL is the site of research and development for the first atomic bomb. Throughout its history, LANL has conducted experimental research on nuclear weapons and explosive materials. Disposal activities started in the early 1940's and continue to present day.



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B. HISTORY OF INVESTIGATION

The U.S. Environmental Protection Agency (EPA) issued a Hazardous and Solid Waste Amendment (HSWA) Module VIII to the RCRA Operating permit on March 8, 1990. The effective date for the permit module was May 23, 1990. The original RCRA permit required investigation of 603 SWMUs. Additional SWMUs have been added to the RCRA permit by other permit modifications comprising a total of approximately 1100 SWMUs requiring investigation under the RCRA corrective action process. On January 2, 1996, NMED received authorization for Corrective Action and is consequently the Administrative Authority (AA) for this action.

On September 30, 1996, DOE/LANL submitted a request to remove 42 SWMUs from its HSWA corrective action module. NMED reviewed the request and determined that 3 of the 42 SWMUs are appropriate for No Further Action (NFA). Two SWMUs on the HSWA corrective action module will be removed through a Class 1 permit modification and the remaining 37 SWMUs will be the subject of further study or investigation.

C. INVESTIGATION RESULTS

During investigation of the SWMUs at LANL, it was determined that the sites were identified as SWMUs which never handled hazardous waste including hazardous constituents regulated under RCRA. Other SWMUs were duplicates of other sites, or were included in investigations of other SWMUs. These are some of the types of SWMUs which LANL requested for no further action (NFA) in their Class 3 permit modification dated September 30, 1996. LANL has developed no further action criteria which is employed during the investigation of SWMUs. The 42 SWMUs proposed for NFA are categorized based on this NFA criteria. At this time, NMED has identified three of these sites as appropriate for NFA. A brief description of each of the SWMUs proposed for NFA are identified in **Section I**. A more detailed description can be found in the Request for Permit Modification from LANL dated September 1996, or in LANL's RCRA Facility Investigation Work Plans as referenced in the permit modification request.

D. PERMIT MODIFICATION

A copy of the public notice, fact sheet, modified permit, and NMED's Statement of Basis may be reviewed at:

LANL's Community Reading Room
1350 Central Avenue, Suite 101
Los Alamos, New Mexico 87544

Hazardous and Radioactive Materials Bureau
2044-A Galisteo
Santa Fe, New Mexico 87505

E. SELECTED REMEDY

NMED's determination that No Further Action is required at these SWMUs is based upon field surveys, historical records, aerial photographs, and employee interviews which show no or insignificant release(s) of hazardous wastes to the environment. The determination is based on the following criteria:

1. The site cannot be located or has been found not to exist, is a duplicate SWMU, or is located within and therefore, investigated as part of another SWMU.
2. The SWMU has never been used for the management (that is, generation, treatment, storage or disposal) of RCRA solid or hazardous wastes and/or constituents or other Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) hazardous substances.
3. No release to the environment has occurred, nor is likely to occur in the future. The term "release" by definition means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous wastes (including hazardous constituents) into the environment.
4. There was a release, but the site was characterized and/or remediated under another authority which adequately addressed corrective action, and documentation, such as a closure letter, is available.
5. The SWMU has been characterized or remediated in accordance with current applicable state or federal regulations, and the available data indicate that contaminants pose an acceptable level of risk under current and projected future land use.

Each site proposed for NFA is described under the applicable NFA criteria in Section I.

F. PUBLIC PARTICIPATION

A public meeting was held by LANL on November 7, 1996 at the Sweeney Convention Center, Santa Fe, New Mexico. 14 people attended the meeting, including representatives from DOE, LANL, and NMED. There have been no written comments to NMED.

NMED issued a Public Notice on September 29, 1997. The Public Notice announced the beginning of a 45-day comment period.

G. NEXT STEPS

NMED will notify DOE/LANL and each person on the public comment mailing list of the final decision. The final decision will become effective thirty (30) days after service of the decision, unless a later date is specified or review is requested under the New Mexico Hazardous Waste Management Regulations, 20 NMAC 4.1, Section 901.E., *Hearings*.

H. CONTACT PERSON FOR ADDITIONAL INFORMATION

John Kieling
New Mexico Environment Department
Hazardous and Radioactive Materials Bureau
2044-A Galisteo
Santa Fe, New Mexico 87505
(505) 827-1558

I. DESCRIPTION OF SWMUs PROPOSED FOR NO FURTHER ACTION

SWMUs proposed for NFA in September 1996

NFA Criterion 1. The site cannot be located or has been found not to exist, is a duplicate SWMU, or is located within and therefore, investigated as part of another SWMU.

1. SWMU 3-045(d), Above Ground Storage Tank, Field Unit 1 (former Operable Unit 1114)

SWMU 3-045(d) is an aboveground storage tank located at the Power Plant, TA-3-22 within Technical Area 3. This SWMU was duplicated as SWMU 3-014(q) as indicated in the SWMU Report (LANL 1990, 0145). SWMU numbers 3-045(d) and 3-014(q) were both assigned to structure TA-3-336, a storage tank. The Field Unit opted to retain the number 3-014(q) for addressing the storage tank. SWMU 3-045(d) is on the HSWA module Table C. SWMU 3-045(d) is appropriate for NFA because it is a duplicate SWMU and has been investigated as SWMU 3-014(q) in the RFI Work Plan for Operable Unit (OU) 1114 (LANL 1993). The SWMU Report descriptions of both SWMUs indicates verification of the error. SWMU 3-045(d) is appropriate for NFA under Criterion 1.

2. **SWMU 52-002(e), Septic Tank and Seepage Pit (Active), Field Unit 4 (former Operable Unit 1129)**

In the SWMU Report (LANL 1990, 0145), SWMU 52-002(e) is described as an active 1,000-gallon septic tank, TA 52-49, and its associated seepage pit, TA 52-50. The septic tank/seepage pit were located in the western portion of Technical Area 52 of the former OU 1129. In May of 1989, the western portion of TA-52 was reassigned as TA-63; septic tank TA-52-49 and its associated seepage pit, TA-52-50, were consequently reassigned as structures TA-63-12 and TA-63-13. The Structure Number Log maintained by LANL's Facility Engineering Department recorded that structures TA-52-49 and TA-52-50 were renumbered as TA-63-12 and TA-63-13. The SWMU Report, however, failed to consider the reassignment of the western portion of TA-52. It not only included the reassigned area as a portion of TA-52, but it also included that same area under its new designation of TA-63. As a component of TA-63, the 1,000-gallon septic tank and its associated seepage pit, TA-63-12, was assigned a second SWMU number, 63-001(a) (LANL 1990, 0145). Thus, the septic tank/seepage pit received two different SWMU numbers, 52-002(e) and 63-001(a). The Field Unit opted to retain the number 63-001(a) for investigating the SWMU. SWMU 52-002(e) is appropriate for NFA because it is a duplicate SWMU and has been investigated as SWMU 63-001(a) in the RFI Work Plan for OU 1129 (LANL 1992). Copies of the SWMU Report descriptions of both SWMUs and Engineering Records verify the error in duplication. SWMU 63-001(a) is on the HSWA module Table A. SWMU 52-002(e) is appropriate for NFA under Criterion 1.

NFA Criterion 2. The SWMU has never been used for the management (that is, generation, treatment, storage or disposal) of RCRA solid or hazardous wastes and/or constituents or other Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) hazardous substances.

3. **SWMU 3-024, Tank and/or Associated Equipment, Field Unit 1 (former Operable Unit 1114)**

SWMU 3-024 is located in former OU 1114 within TA-3. SWMU 3-024 is a pump pit (concrete vault) built of reinforced concrete with a steel and concrete cover. The pump pit is 19.6 ft long x 13.6 ft wide x 11.8 ft deep, with a capacity of 3,200 ft³. The system is a closed-circuit pump unit used to pump noncontact cooling water for electric furnaces located at building TA-3-141, the Rolling Mill Facility located within the Sigma Complex. The noncontact cooling water flows through a roof-mounted water chiller, through operating equipment in the building, and back through the pump. The unit has been active since 1962. No release to the environment has occurred or will likely occur because more than 3,200 ft³ of water would have to accumulate in order for the tank to overflow. No contaminants are associated with the pump pit because it handles only noncontact cooling water for electric furnaces. SWMU 3-024 is appropriate for NFA under Criterion 2.

J. SUPPORTING DOCUMENTATION

Los Alamos National Laboratory, November 1996. "Request for Permit Modification: Units Proposed for NFA," Volumes 1 and II, Los Alamos National Laboratory Report LA-UR-96-3357, Los Alamos, New Mexico.

Los Alamos National Laboratory, July 1995. "RFI Work Plan for Operable Unit 1114, Addendum 1," Los Alamos National Laboratory Report LA-UR-95-731, Los Alamos, New Mexico. (LANL 1995)

Los Alamos National Laboratory, July 1993. "RFI Work Plan for Operable Unit 1114," Los Alamos National Laboratory Report LA-UR-93-1000, Los Alamos, New Mexico. (LANL 1993)

Los Alamos National Laboratory, May 1992. "RFI Work Plan for Operable Unit 1129," Los Alamos National Laboratory Report LA-UR-92-800, Los Alamos, New Mexico. (LANL 1992)

Los Alamos National Laboratory, November 1990. "Solid Waste Management Units Report," Volumes 1 through IV, Los Alamos National Laboratory Report No. LA-UR-92-3400, prepared by International Technology Corporation under Contract 9-XS8-0062R-1, Los Alamos, New Mexico. (LANL 1990, 0145)

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