



State of New Mexico
ENVIRONMENT DEPARTMENT
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March 11, 1998

Mr. G. Thomas Todd
 Los Alamos Area Office
 Department of Energy
 528 35th Street
 Los Alamos, New Mexico 87544

Dr. James C. Brown, Director
 Los Alamos National Laboratory
 P.O. Box 1663, Mail Stop A100
 Los Alamos, New Mexico 87545

RE: Receipt of TRU Waste Generated Off-Site

Dear Mr. Todd and Dr. Brown:

The New Mexico Environment Department has received information from both private sources and DOE Press Releases that Sandia National Laboratory-New Mexico will ship its TRU Waste to Los Alamos National Laboratory for the characterization necessary to meet WIPP Waste Acceptance Criteria.

NMED wishes to advise DOE/LANL that in order to receive waste from off-site a permit modification must be completed under the provisions of 20 NMAC 4.1 Subpart IX, § 270.42. The LANL Permit, Module II Condition II.B.2., states "Off-Site Wastes. This permit does not allow the Permittee to accept waste from an off-site source." Sandia National Laboratory is an off-site source under this condition of the LANL Permit. Any waste shipped to LANL from SNL must have undergone analysis to verify that it is TRU only and not a mixed waste or hazardous waste. LANL acceptance of off-site hazardous or mixed waste would be a violation of current permit conditions and would subject LANL to enforcement action.

Should you have any concerning this matter or the modification of the LANL Permit please contact me or Dr. Robert S. (Stu) Dinwiddie of my staff at the above address or by phone at (505) 827-1561.

Sincerely,

Ed Kelley, Ph.D., Director
 Water and Waste Management Division

cc: Benito J. Garcia, HRMB
 Robert S. (Stu) Dinwiddie, HRMB
 Stephanie Kruse, HRMB
 David Neleigh, EPA



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