

Permit



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GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
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PETER MAGGIORE
SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 29, 2002

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

Mr. Ralph Erickson, Area Manager
Department of Energy
Office of Los Alamos Site Operations
528 35th Street, Mail Stop A316
Los Alamos, New Mexico 87544

**SUBJECT: CLARIFICATION OF SOLID WASTE MANAGEMENT UNIT AND
AREA OF CONCERN INFORMATION PROVIDED IN RESPONSE TO
NMED's JULY 1, 2002 REQUEST
LOS ALAMOS NATIONAL LABORATORY, NM0890010515**

Dear Dr. Browne and Mr. Erickson:

The New Mexico Environment Department (NMED) has received U. S. Department of Energy/Los Alamos National Laboratory's (Permittees) response dated July 15, 2002, to NMED's request for a complete list of potential release sites (PRSs) including solid waste management units (SWMUs) and areas of concern (AOCs) at Los Alamos National Laboratory's. The table provided with the response lists PRSs, and the last column of the table lists the administrative authority (AA) for these sites. These sites have either U. S. Department of Energy (DOE) or NMED listed as AA. NMED is requesting clarification for the basis of the AA determination.

In the past, the Permittees have used the term AOC inconsistently. The Permittees have defined AOC both as "An area at LANL known or suspected to be contaminated with radionuclides, but not contaminated by hazardous chemicals (or hazardous waste)" (Appendix A, RFI Report for Material Disposal Area H at Technical Area 54, dated May 2001) and as an "Area at the laboratory that might warrant further investigation for releases based on past facility waste-management activities" (RSI Response for PRS 0-017, dated April 12, 2000). NMED is



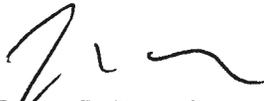
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requesting a list of all sites that are currently designated as AOCs but may have known or suspected releases of hazardous waste or constituents and may need further investigation. NMED believes that many of the PRSs listed in the July 15, 2002 submittal with DOE designated as the AA have hazardous constituents present and may therefore be regulated as SWMUs or AOCs by NMED under the New Mexico Hazardous Waste Act (HWA) and Hazardous Waste Management Regulations (HWMR), 20.4.1 NMAC. Please submit an explanation for each PRS with a DOE AA designation as to why that PRS is considered not regulated by NMED under the HWA and HWMR. Also, please note that the table provided with the submittal does not include all the PRSs listed in Appendix B of the "Installation Work Plan for Environmental Restoration Project," Revision 8 (referenced by LA-UR-00-1336 and ER19990200). Provide an explanation for the discrepancy.

The Permittees should respond to this request within thirty days of receipt of this letter. If you have any questions, please contact John Young at (505) 428-2538 or Neelam Dhawan at (505) 428-2540.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:nmd

cc:

- D. Cobrain, NMED HWB
- C. Will, NMED HWB
- N. Dhawan, NMED HWB
- J. Parker, NMED DOE OB
- S. Yanicak, NMED DOE OB, MS J993
- L. King, EPA 6PD-N
- J. Vozella, DOE OLASO, MS A316
- E. Trollinger, DOE OLASO, MS A316
- B. Ramsey, LANL RRES/ER, DO J591
- D. McInroy, LANL RRES/ER, MS M992
- M. Kirsch, LANL RRES/ER, MS M992

file: Permit (Solid Waste Management Units and Areas Of Concern)