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7/31/02

Permit (TSCA PCB Permit, TA-54)

LOS ALAMOS NATIONAL LABORATORY

PCB PITS AND SHAFTS APPROVAL CONDITIONS

I. LOCATION OF FACILITY

The PCB disposal area is located in Technical Area 54 (TA-54), Area G, of the Department of Energy's (DOE) Los Alamos National Laboratory, Los Alamos, New Mexico.

II. PCB DISPOSAL FACILITIES AUTHORIZED

A. PCB Pits and Shafts Authorized:

1. Pits located in TA-54, Area G, Pits 31, 38, and 39; and,
2. The PCB Shaft Field located in TA-54, Area G, shaft numbers C13, C14, and odd numbered shafts C309 through C359 inclusive.

B. Authorization to Operate Additional Pits or Shafts:

LANL shall not commence disposal in a new PCB disposal area other than Area G until it has notified the EPA Region 6, OK/TX RCRA Permits Section, in writing and received written approval from EPA. For new pits or shafts within Area G, LANL shall submit to the EPA Region 6, OK/TX RCRA Permits Section, a Notification of PCB Activity (EPA form 7710-53) 30 days before beginning to use



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the new pit or shaft.

C. Expansion of Existing Authorized Pits or Shafts:

Any pit or shaft authorized under condition II.A. of this section which LANL intends to expand shall require notification to the EPA Region 6, OK/TX RCRA Permits Section, before any new PCBs may be disposed in the expanded facility.

D. New PCB Storage Areas:

PCBs shall not be stored in a new storage area, other than those authorized in condition II. B. above, without first notifying the EPA Region 6, OK/TX RCRA Permits Section, before PCBs may be stored in the new storage facility. LANL shall submit to the EPA Region 6, OK/TX RCRA Permits Section, a Notification of PCB Activity (EPA form 7710-53) 30 days before beginning to use the new PCB storage area.

III. FACILITY DESIGN, CONSTRUCTION, AND OPERATION

A. General Design and Construction Requirements:

1. The PCB pits shall comply with 40 CFR 761.75 except for the following provisions:
 - a. 761.75 (b)(1): Soils of relatively impermeable formations;
 - b. 761.75 (b)(3): Hydrologic conditions requiring monitoring wells and leachate collection;
 - c. 761.75 (b)(5): Topography of low to moderate relief;
 - d. 761.75(b)(6)(ii): Ground water monitoring wells installed around the site; and,
 - e. 761.75 (b)(7): Leachate collection system installed.

A waiver to these conditions is granted based upon EPA's review of the design of the pits and shafts and geology reports of the area as they specifically relate to the behavior of PCBs in soils and the disposal of non-liquid PCBs at this site. The high evapo-transpiration rate conditions, the prohibition against disposal of liquid PCB wastes, the 800-foot depth to potable ground water should provide an effective barrier between the bottom of the non-liquid PCB pits and shafts and the potable ground water table. Since no pumpable ground water exists near or around the disposal units, a leachate collection system is not required here. In addition, since provision 761.75(b)(1) is waived, there is no requirement

that a synthetic membrane liner be installed in the PCB disposal shafts or pits pursuant to 761.75(b)(2). Some or all of these waivers may be revoked if evidence is presented to EPA that PCBs are migrating through the tuff in a manner that presents an unacceptable risk to human health or the environment.

2. The PCB shafts shall comply with 40 CFR 761.75 except for the provisions listed in III.A.1. above for the reasons stated in that section.

3. No PCB liquids or items containing PCB liquids shall be placed in a disposal pit or shaft after the effective date of this approval.

B. General Operating Requirements:

1. PCB wastes to be disposed in pits or shafts located in TA-54, Area G, shall be logged on the Waste Profile Request Form ES&H 1346, or its equivalent.

2. Disposal of PCB wastes shall comply with Laboratory Implementation Requirements, or their equivalents, (LIR) 404-00-03, 404-00-05, and 404-00-06 as they apply to PCB wastes.

C. PCB Pit Operating Requirements:

1. PCB wastes to be disposed in a pit shall be logged in LANL's waste tracking system which shall include date of disposal, and type and quantity of waste disposed.

2. Large quantities of PCB contaminated soil and debris which are not containerized shall be transported in lined trucks with a covering sufficient to prevent spillage or wind dispersion of the PCB contaminated material. Transport shall not occur after sunset or before sunrise.

3. No PCB liquids or items containing PCB liquids shall be placed in a disposal pit

4. The ponding of snowmelt or stormwater is not permissible over a PCB pit.

D. PCB Shaft Operating Requirements:

1. PCB wastes disposed in a shaft shall have the date of disposal, type and quantity of waste disposed recorded in a log. This information shall be made available to EPA upon request.

2. Open shafts shall be covered to prevent accidental injury or the

entrance of precipitation.

3. No PCB liquids or items containing PCB liquids shall be placed in a disposal shaft.

4. The ponding of snowmelt or stormwater is not permissible around a PCB shaft.

E. Storage Facility Area Requirements:

1. The PCB storage facility, located in Area L, shall comply with PCB storage requirements in 40 CFR 761.65.

2. PCBs shall be properly marked in accordance with 40 CFR 761.45.

3. All PCB items shall be logged showing date removed from service for disposal and the date the PCB item was sent from storage for disposal. This information shall be provided to EPA upon request.

F. Surface and Ground Water Monitoring Requirements:

1. Samples collected for compliance with this approval shall be analyzed for the parameters listed in 40 CFR 761.75(b)(6)(iii).

2. Samples analyzed for PCBs shall follow EPA approved procedures and methods. The procedures and methods used shall be recorded along with the data.

3. Storm water runoff sampling and inspections around pits and shafts shall be in accordance with the Storm Water Pollution Prevention Plan for TA-54, Area G, and shall include those parameters specified in III.F.1. above.

4. Once annually, samples shall be collected from Monitoring Well #R-22 at the five sampling ports at 906 feet, 962, feet, 1273 feet, 1379 feet, and 1449 feet. The samples shall be analyzed in accordance with F.1. and F.2. above.

5. Any instance of detection of PCBs in any samples collected and analyzed under conditions III. F. 1- 4 above shall be reported in writing within five (5) working days of its discovery. The report shall be submitted to the OK/TX RCRA Permits Section at EPA Region 6.

IV. CLOSURE AND POST CLOSURE

A. Records required under 40 CFR 761.180 (d) and (f) shall be maintained for the times specified after the pits or shafts have been closed.

B. LANL shall submit a closure plan to EPA Region 6, OK/TX RCRA Permits Section, at least 60-days prior to the planned beginning of closure of an authorized pit or shaft under this approval. The closure plan shall include a proposal and design for a cap over the PCB pits or shafts to be closed. The closure plan must be approved by EPA in writing before beginning closure.

V. STANDARD APPROVAL CONDITIONS

A. Severability:

The conditions of this authorization are severable, and if any provision of this authorization, or any application of any provision, is held invalid, the remainder of this authorization shall not be affected thereby.

B. Duty to Comply:

LANL shall comply with all Federal, State, and local regulations, approvals, and permits.

C. Personnel Safety:

LANL's personnel safety requirements and procedures for PCB handling, storage, transport, and disposal shall comply with Occupational Safety and Health Administration requirements.

D. Duty to Mitigate:

LANL shall correct any adverse impact on the environment resulting from noncompliance with this approval.

E. Proper Operation and Maintenance:

LANL shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed and used to achieve compliance with the conditions of this approval. Proper operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate Area G quality assurance procedures.

All transport vehicles owned by LANL used for the transport of PCBs shall be properly maintained, inspected, and certified in writing by a responsible official of

the company as meeting applicable safety standards under the Department of Transportation regulations before PCBs are transported on public highways. Copies of all certifications shall be kept at the facility and shall be available for inspection on request.

F. Duty to Provide Information:

LANL shall furnish any relevant information which EPA may request to determine whether cause exists for modifying, revoking, reissuing, or terminating this approval, or to determine compliance with this approval. LANL shall also furnish, upon request, copies of records required to be kept under the TSCA PCB regulations.

G. Inspection and Entry:

LANL shall allow an authorized representative from EPA or the New Mexico Environment Department, upon presentation of credentials and other documents as may be required by law, to:

1. Enter the LANL facility where PCBs are being handled, stored, treated, or disposed;
2. Have access to and copy, at reasonable times, any records that must be kept under the TSCA PCB regulations;
3. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations required under this approval or the TSCA PCB regulations; or,
4. Sample or monitor for the purpose of assuring that the LANL facility is operating in compliance with the conditions of the approval or the TSCA PCB regulations.

H. Monitoring and Records:

LANL shall comply with all monitoring and record keeping requirements for PCB landfills and storage facilities. All PCB records, documents, and reports shall be maintained at centralized locations at the LANL facility, and shall be made available for inspection by authorized EPA representatives. All records required by this approval shall be written in ink or typed, or in electronic format. Any modification or correction of the records must be initialed and dated by the person performing the change.

I. Notice of Transfer of Ownership:

LANL shall notify EPA at least ninety (90) days before transferring ownership of

the facility. LANL shall also submit to EPA at least ninety (90) days before such transfer a notarized affidavit signed by the transferee stating that the transferee shall abide by the terms of this approval.

J. Twenty-four Hour Reporting of Noncompliance:

If at any time LANL becomes aware of a violation of the conditions of this approval, it shall notify the EPA Region 6, OK/TX RCRA Permits Section, by telephone within 24 hours, and shall submit a written report within five (5) days.

K. Other Information:

When LANL officials become aware that LANL has failed to submit any relevant facts in its application, or submitted incorrect information in any report to EPA, LANL shall promptly submit such facts or information to EPA.

L. Operation of the Facility:

LANL shall maintain an adequately trained onsite inspector to direct emergency procedures which could result from fires, explosions or releases of PCB containing wastes at the facility. LANL shall submit the name of this inspector within sixty (60) days of the effective date of this approval. LANL shall maintain in good working order any equipment required to deal with these emergencies.

M. Spills:

PCB spills occurring at the disposal site or from any LANL owned PCB transport vehicle, shall be cleaned up according to the PCB Spill Cleanup Policy, 40 CFR Part 761, Subpart G. PCB spills occurring outside PCB storage areas shall be reported within twenty-four (24) hours of the event to the EPA Region 6, PCB Spill Coordinator, Toxics Enforcement Section. The EPA may order cessation of PCB disposal at LANL if spills are not cleaned up to acceptable levels defined by EPA.

N. Duty to Notify:

LANL shall notify the EPA Region 6, OK/TX RCRA Permits Section, in writing at least thirty (30) days prior to any planned physical or operational change that may require modification of this approval.

O. Effective Date:

The approval shall become effective on the date of the approval letter, and expire at midnight the same month and day after five years.

END OF APPROVAL CONDITIONS

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Joseph C. Vozella
Acting Asst. Area Manager
Office of Environment and Projects
Department of Energy
Los Alamos Area Office
Los Alamos, New Mexico 87544

Dear Mr. Vozella:

We are in receipt of your letter of January 5, 2001 requesting re-authorization of the polychlorinated biphenyl (PCB) land disposal approval at the Los Alamos National Laboratory (LANL), TA-54 Area G. The PCB disposal approval was issued on June 25, 1996, with an expiration date of June 25, 2001. The expiration date was officially extended in the proposed approval transmittal letter until the completion of this re-authorization process. A Public Notice announcing our proposed decision to re-authorize this facility was published in the Santa Fe New Mexican on October 22, 2001. The Notice opened a 45-day comment period which expired on December 6, 2001. No comments were received during the comment period. In the course of the review of this proposal with the State of New Mexico, the New Mexico Environment Department (NMED) sent a comment letter to EPA dated March 11, 2002, which pointed out certain issues of concern that have been addressed and incorporated into the conditions of this approval. A copy of the letter is enclosed.

We have reviewed the information submitted in support of the application for disposal of non-liquid PCBs which included; "Performance Assessment and Composite Analysis for Los Alamos National Laboratory Material Disposal Area G", dated March 1997; "Hydrogeologic Workplan, Los Alamos National Laboratory", dated May 22, 1998; "Hazardous and Mixed Waste Facility Inspection Records"; and, the "Annual Document Logs" from 1991-1999. Also, we have noted that LANL has reported that no PCB spills occurred at TA-54 Area G since the issuance of the approval dated June 25, 1996. After inspecting the facility and reviewing the hydrogeological studies and the storage and record keeping information submitted by LANL, EPA has concluded that the continued disposal of PCBs at the Technical Area 54, Area G, PCB landfill will not

pose an unreasonable risk to human health or the environment. Violation of 40 CFR 761, or any condition included as part of this approval, may subject this facility to enforcement action under TSCA and/or other applicable laws and regulations. Such action could result in a termination, revocation, or modification of the approval. Furthermore, receipt of evidence that: (1) a misrepresentation of any material fact has been made in any submittal; (2) all relevant facts have not been disclosed; (3) the nature of the disposal has substantially changed from the effective date of this approval; or (4) the facility is found to be in non-compliance with its approval conditions (or a violation of requirements under 40 CFR Part 761) during PCB storage or disposal shall constitute sufficient cause for revocation or modification of the approval.

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This approval shall expire at midnight, on the same day and month as the date of this letter, five years after issuance. If you have questions or comments, please contact Mr. James Sales at (214) 665-6796.

Sincerely yours,

Carl E. Edlund, P.E.
Director
Multimedia Planning
and Permitting Division

Enclosure

cc: Greg Lewis, New Mexico Environment Department