

Permit



DEPARTMENT OF ENERGY
National Nuclear Security Administration
Los Alamos Site Office
Los Alamos, New Mexico 87544



FEB 24 2006

Mr. John Kieling, Manager
RCRA Permits Management Program
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Subject: Transfer of Permit Request and Request for Class Determination to the
Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit
(EPA ID No. NM0890010515)



Dear Mr. Kieling:

The purpose of this correspondence is to inform the New Mexico Environment Department Hazardous Waste Bureau (NMED-HWB) that LANL's co-operator will be changing on June 1, 2006, from the Regents of the University of California (UC) to the Los Alamos National Security, LLC (LANS). This notification is in accordance with the New Mexico Administrative Code, Title 20, Chapter 4, Part 1 (20.4.1.900 NMAC) (incorporating the Code of Federal Regulations, Title 40, [40 CFR] § 270.40(b)). As a result of discussions with Kate Lynnes of your staff on February 21, 2006, it is apparent that uncertainties regarding future financial assurance requirements for the new co-operator may preclude the possibility of a simple Class 1 modification. Your assistance in a timely resolution of this issue and a class determination will be greatly appreciated.

The U.S. Department of Energy-National Nuclear Security Administration (DOE-NNSA) continues to own and co-operate LANL. Applications submitted for LANL in August 2003 are still valid with the exception of the name of the co-operator. It is our request that a 90 day extension be granted for the submittal of new certification pages or revisions to the applications after a class determination for the permit modification is made. The updated applications at that time will include a revised part A permit application fulfilling the change during interim status condition in 20.4.1.900 NMAC (incorporating 40 CFR § 270.72(a)(4)). A notification will also be sent to LANS in accordance with Section I.D.13 of the LANL Hazardous Waste Facility Permit. This will notify the new co-operator in writing of the requirements of 20.4.1.300, .500, and .900 NMAC (incorporating 40 CFR Parts 262, 264, and 270) and the Hazardous and Solid Waste Amendments of 1984.

If you have any comments or questions regarding this notification and request for class determination, please contact Gene Turner of my staff at (505) 667-5794 or Jack Ellvinger, UC, at (505) 667-0633.

Sincerely,

Edwin L. Wilmot
Manager

ES: 3GT-007



FEB 24 2006

cc:

Laurie King, Chief (6PD-N)
New Mexico/Federal Facilities Section
Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

James Bearzi, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

L. Cummings, OC, LASO, MS-A316
G. Rodriguez, ES, LASO, MS-A316
G. Turner, ES, LASO, MS-A316
E. Louderbough, LC-ESH, LANL, MS-A187
J. Ellvinger, RRES-SWRC, LANL, MS-K490