Permit

State of New Mexico
ENVIRONMENT DEPARTMENT
Office of the Secretary
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502-6110
Telephone (505) 827-2855
Fax (505) 827-2836
www.nmenv.state.nm.us

BILL RICHARDSON
GOVERNOR

RON CURRY
SECRETARY

CINDY PADILLA
DEPUTY SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 23, 2007

Daniel Glenn, Acting Manager
Los Alamos Site Office
Department of Energy
528 35th Street, Mail Stop A316
Los Alamos, NM 87544

Richard S. Watkins, Associate Director
Environmental, Safety, Health, & Quality
Los Alamos National Security, LLC
P.O. Box 1663, Mail Stop K491
Los Alamos, NM 87545

RE: APPROVAL OF CLASS 3 PERMIT MODIFICATION FOR NO FURTHER ACTION OF 20 SOLID WASTE MANAGEMENT UNITS LOS ALAMOS NATIONAL LABORATORY, EPA ID# NM0890010515 HWB-LANL-05-010 & 01-007

Dear Messrs. Glenn and Watkins:

The New Mexico Environment Department (NMED) is approving a Class 3 Permit Modification to the Resource Conservation and Recovery Act (RCRA) Permit No. NM0890100515 issued to U.S. Department of Energy/Los Alamos National Laboratory. The modification consists of approval of No Further Action (NFA) status for 20 solid waste management units (SWMUs) and removal of these SWMUs from Tables A and C of Module VIII, Special Conditions Pursuant to the 1984 Hazardous and Solid Waste Amendments (HSWA) to RCRA, of the Permit. The modification will become effective 30 days after the approval of the modification. The effective date of the permit modification is April 22, 2007.

NMED issued a *Notice of Public Comment Period and Intent to Approve a Permit Modification to RCRA Permit for U.S. Department of Energy, Los Alamos National Laboratory,* on October 26, 2006. NMED received comments on the intended modification during the comment period that ended on December 26, 2006. NMED has issued a response to the comments and is enclosing it with this letter. After considering the comments received, NMED does not approve NFA for SWMUs 21-013(d), 21-013(e), 21-024(f), and areas of concern (AOCs) C-21-015 and 21-030, because the Permittees have not adequately demonstrated compliance with the New Mexico Standards for Interstate and Intrastate Surface Waters (20.6.4 NMAC) and the New Mexico

16359

WQCC Ground and Surface Water Protection Regulations (20.6.2 NMAC) as required by Section VIII.C of the March 1, 2005 Compliance Order on Consent. Although, these sites do not pose an unacceptable risk to human health and environment based on the investigation results, the Permittees must make such a demonstration for these sites to be considered for NFA. Twenty SWMUs that are being approved do not require this demonstration because they were either not used for management of hazardous waste or were not known or suspected to have released hazardous waste or hazardous constituents to the environment.

The 20 SWMUs that NMED is approving through this permit modification are identified in the following table.

	SWMU	Description	Date Proposed for No Further Action
1	SWMU 3-009(d)	Surface Disposal Area	September 1995
2	SWMU C-08-010	Former Drum Storage Area	June 2001
3	SWMU 15-010(c)	Active Storm Drainline and Outfall	June 2001
4	SWMU 16-025(e2)	Potential Soil Contamination from Former HE Storage Buildings	June 2001
5	SWMU 16-025 (f2)	Potential Soil Contamination from Former HE Storage Buildings	June 2001
6	SWMU 16-025(h2)	Potential Soil Contamination from Former HE Storage Buildings	June 2001
7	SWMU 16-026(a2)	Storm Outfall and Associated Drainline	June 2001
8	SWMU 16-026(d2)	Outfall and Associated Drainline	June 2001
9	SWMU 16-026(e2)	Outfall and Associated Drainline	June 2001
10	SWMU 16-026(f2)	Outfall and Associated Drainline	June 2001
11	SWMU 16-026(g2)	Outfall and Associated Drainline	June 2001
12	SWMU 16-026(h)	Outfall and Associated Drainline	June 2001
13	SWMU 16-026(k)	Outfall and Associated Drainline	June 2001
14	SWMU 16-026(t)	Active Outfall and Associated Drainline	June 2001
15	SWMU 16-026(x)	Outfall and Associated Drainline	June 2001
16	SWMU 16-030(b)	Outfall and Associated Drainline	June 2001
17	SWMU 16-030(e)	Outfall and Associated Drainline	June 2001

18	SWMU 16-030(f)	Outfall and Associated Drainline	June 2001
19	SWMU 20-003(a)	Former Firing Site Control Building	June 2001
20	SWMU 55-009	Sumps and Tanks	March 1995

Enclosed are the revised replacement pages for Tables A and C, currently in Module VIII. Please update your copy of the Permit by replacing your tables with new tables. The SWMUs removed from the Permit are listed in Tables A.1 and C.1. If in the future, new information becomes available indicating a release of hazardous waste or hazardous constituents, NMED may require additional investigations at some or all of these SWMUs/AOCs. Please contact Neelam Dhawan of my staff, at (505) 476-6040, should you have any concerns regarding this letter.

Sincerely,

Cindy Padilla
Deputy Secretary

CP:nmd(HWB)

cc: J. Bearzi, NMED HWB
J. Kieling, NMED HWB
D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Yanicak, NMED DOE OB, MS J993
L. King, EPA 6PD-N
G. Rael, LASO, MS A316
File: Reading and LANL 2007

TABLE A

SWMU Numbers

Technical Area 0

0-001
0-011(a)
0-011(c)
0-011(d)
0-011(e)
0-017
0-018(a)
0-019
0-030(a)
0-030(b)
0-030(g)
0-030(l)
0-030(m)
0-033
0-039 (15)

Technical Area 1

1-001(a)
1-001(b)
1-001(c)
1-001(d)
1-001(e)
1-001(f)
1-001(g)
1-001(o)
1-001(s)
1-001(t)
1-001(u)
1-002
1-003(a)
1-003(d)
1-003(e)
1-006(a)
1-006(b)
1-006(c)
1-006(d)
1-006(h)
1-006(n)
1-006(o)
1-007(a)
1-007(b)
1-007(c)
1-007(d)
1-007(e)
1-007(j)
1-007(l) (29)

Technical Area 2

2-005
2-006(a)
2-006(b)
2-007
2-008(a)
2-009(a)
2-009(b)
2-009(c) (8)

Technical Area 3

3-001(k)
3-002(c)
3-003(a)
3-003(b)
3-003(c)
3-009(a)
3-010(a)
3-012(b)
3-013(a)
3-014(a)
3-014(b)
3-014(c)
3-014(d)
3-014(e)
3-014(f)
3-014(g)
3-014(h)
3-014(i)
3-014(j)
3-014(k)
3-014(l)
3-014(m)
3-014(n)
3-014(o)
3-014(p)
3-014(q)
3-014(r)
3-014(s)
3-014(t)
3-014(u)
3-015
3-026(d)
3-028
3-033
3-036(a)
3-036(c)
3-036(d)
3-037
3-038(a)
3-038(b)
3-056(a)
3-056(c) (42)

Technical Area 4

4-001
4-002
4-003(a)
4-003(b) (4)

Technical Area 5

5-001(a)
5-001(b)
5-002
5-003
5-004
5-005(a)
5-005(b)
5-006(b)
5-006(c)
5-006(e)
5-006(h) (11)

Technical Area 6

6-001(a)
6-001(b)
6-002
6-003(a)
6-003(c)
6-003(d)
6-003(e)
6-003(f)
6-003(h)
6-005
6-006
6-007(a)
6-007(b)
6-007(c)
6-007(d)
6-007(e)
6-007(f)
6-007(g) (18)

Technical Area 7

7-001(a)
7-001(b)
7-001(c)
7-001(d) (4)

Technical Area 8

8-002
8-003(a)
8-004(a)
8-004(b)
8-004(c)
8-004(d)
8-005
8-006(a)
8-009(a)
8-009(d)
8-009(e) (11)

Technical Area 9

9-001(a)
9-001(b)
9-001(c)
9-001(d)
9-002
9-003(a)
9-003(b)
9-003(d)
9-003(e)
9-003(g)
9-003(h)
9-003(i)
9-004(a)
9-004(b)
9-004(c)
9-004(d)
9-004(e)
9-004(f)
9-004(g)
9-004(h)
9-004(i)
9-004(j)
9-004(k)
9-004(l)
9-004(m)
9-004(n)
9-004(o)
9-005(a)
9-005(d)
9-005(g)
9-006
9-008(b)
9-009
9-013
C-9-001 (35)

Technical Area 10

10-001(a)
10-001(b)
10-001(c)
10-001(d)
10-002(a)
10-002(b)
10-003(a)
10-003(b)
10-003(c)
10-003(d)
10-003(e)
10-003(f)
10-003(g)
10-003(h)
10-003(i)
10-003(j)
10-003(k)
10-003(l)
10-003(m)
10-003(n)
10-003(o)
10-004(a)
10-004(b)
10-005
10-006
10-007 (26)

Technical Area 11

11-001(a)
11-001(b)
11-001(c)
11-002
11-004(a)
11-004(b)
11-004(c)
11-004(d)
11-004(e)
11-005(a)
11-005(b)
11-005(c)
11-006(a)
11-006(b)
11-006(c)
11-006(d)
11-009
11-011(a)
11-011(b)
11-011(d) (20)

Technical Area 12

12-001(a)
12-001(b)
12-002 (3)

Technical Area 13

13-001

TABLE A

13-002
13-003(a)
13-004 (4)

Technical Area 14
14-002(a)
14-002(b)
14-002(c)
14-002(d)
14-002(e)
14-002(f)
14-003
14-005
14-006
14-007
14-009
14-010 (12)

Technical Area 15
15-002
15-003
15-004(a)
15-004(b)
15-004(c)
15-004(f)
15-004(g)
15-004(i)
15-006(a)
15-006(b)
15-006(c)
15-006(d)
15-007(a)
15-007(b)
15-007(c)
15-007(d)
15-008(a)
15-008(b)
15-008(c)
15-008(d)
15-009(a)
15-009(b)
15-009(c)
15-009(e)
15-009(f)
15-009(g)
15-009(h)
15-009(i)
15-009(k)
15-010(a)
15-010(b)
15-011(a)
15-011(b)
15-011(c)
15-014(a)
15-014(b)
15-014(i)
15-014(j)
15-014(k)
15-014(l) (40)

Technical Area 16
16-001(a)
16-001(b)
16-001(c)
16-001(d)
16-001(e)
16-003(a)
16-003(b)
16-003(c)
16-003(d)
16-003(e)
16-003(f)
16-003(g)
16-003(h)
16-003(i)
16-003(j)
16-003(k)
16-003(l)
16-003(m)
16-003(n)
16-003(o)
16-004(a)
16-004(b)
16-004(c)
16-004(d)
16-004(e)
16-004(f)
16-005(g)
16-005(n)
16-006(a)
16-006(c)
16-006(d)
16-006(e)
16-007(a)
16-008(a)
16-009(a)
16-010(a)
16-010(b)
16-010(c)
16-010(d)
16-010(e)
16-010(f)
16-010(h)
16-010(i)
16-010(j)
16-010(k)
16-010(l)
16-010(m)
16-010(n)
16-013
16-016(a)
16-016(b)
16-016(c)
16-018
16-019
16-020
16-021(a)
16-021(c)
16-026(b)
16-026(c)
16-026(d)
16-026(e)
16-026(h2)
16-026(j2)
16-026(v)
16-029(a)
16-029(b)
16-029(c)
16-029(d)
16-029(e)
16-029(f)
16-029(g)
16-030(h)
16-035
16-036 (74)

Technical Area 18
18-001(a)
18-001(b)
18-001(c)
18-002(a)
18-002(b)
18-003(a)
18-003(b)
18-003(c)
18-003(d)
18-003(e)
18-003(f)
18-003(g)
18-003(h)
18-004(a)
18-004(b)
18-005(a)
18-012(a)
18-012(b) (18)

Technical Area 19
19-001
19-002
19-003 (3)

Technical Area 20
20-001(a)
20-001(b)
20-001(c)
20-002(a)
20-002(b)
20-002(c)
20-002(d)
20-005 (8)

Technical Area 21
21-002(a)
21-003
21-004(b)
21-004(c)
21-006(a)
21-006(b)
21-006(c)
21-006(d)
21-006(e)
21-007
21-010(a)
21-010(b)
21-010(c)
21-010(d)
21-010(e)
21-010(f)
21-010(g)
21-010(h)
21-011(a)
21-011(b)
21-011(c)
21-011(d)
21-011(e)
21-011(f)
21-011(g)
21-011(i)
21-011(j)
21-011(k)
21-012(b)
21-013(a)
21-013(b)
21-013(c)
21-013(d)
21-013(e)
21-014
21-015
21-016(a)
21-016(b)
21-016(c)
21-017(a)
21-017(b)
21-017(c)
21-018(a)
21-018(b)
21-021
21-022(a)
21-022(b)
21-022(c)
21-022(d)
21-022(e)
21-022(f)
21-022(g)
21-022(h)
21-022(i)
21-022(j)
21-023(a)
21-023(b)
21-023(c)
21-023(d)
21-024(a)
21-024(b)
21-024(c)
21-024(d)
21-024(e)
21-024(f)
21-024(g)
21-024(h)
21-024(i)
21-024(j)
21-024(k)
21-024(l)
21-024(n)
21-024(o)
21-026(a)
21-026(b)
21-027(a)
21-027(c)
21-027(d)
21-029 (79)

Technical Area 22
22-010(a)
22-010(b)

TABLE A

22-011
22-012
22-014(a)
22-014(b)
22-015(a)
22-015(b)
22-015(c)
22-015(d)
22-015(e)
22-016 (12)

Technical Area 26
26-001
26-002(a)
26-002(b)
26-003 (4)

Technical Area 27
27-002
27-003 (2)

Technical Area 31
31-001 (1)

Technical Area 32
32-001
32-002(a)
32-002(b) (3)

Technical Area 33
33-001(a)
33-001(b)
33-001(c)
33-001(d)
33-001(e)
33-002(a)
33-002(b)
33-002(c)
33-002(d)
33-002(e)
33-003(a)
33-003(b)
33-004(a)
33-004(b)
33-004(c)
33-004(d)
33-004(g)
33-004(h)
33-004(i)
33-004(j)
33-004(k)
33-004(m)
33-005(a)
33-005(b)
33-005(c)
33-006(a)
33-006(b)
33-007(a)
33-007(b)
33-007(c)
33-008(a)
33-008(b)
33-009
33-010(a)
33-010(b)
33-010(c)
33-010(d)
33-010(f)
33-010(g)
33-010(h)
33-011(a)
33-011(c)
33-011(d)
33-011(e)
33-012(a)
33-013
33-014
33-015
33-016
33-017 (50)

Technical Area 35
35-002
35-003(a)
35-003(b)
35-003(c)
35-003(d)
35-003(e)
35-003(f)
35-003(g)
35-003(h)
35-003(j)
35-003(k)
35-003(l)
35-003(m)
35-003(n)
35-003(o)
35-003(p)
35-003(q)
35-004(a)
35-004(b)
35-004(g)
35-004(h)
35-008
35-009(a)
35-009(b)
35-009(c)
35-009(d)
35-009(e)
35-010(a)
35-010(b)
35-010(c)
35-010(d)
35-013(a)
35-013(b)
35-013(c)
35-014(a)
35-014(b)
35-014(e)
35-014(g)
35-015(a)
35-015(b)
35-016(a)
35-016(c)
35-016(d)
35-016(i)
35-016(k)
35-016(m)
35-016(o)
35-016(p)
35-016(q) (49)

Technical Area 36
36-001
36-002
36-003(a)
36-003(b)
36-004(d)
36-005
36-006
C-36-003 (8)

Technical Area 39
39-001(a)
39-001(b)
39-002(a)
39-004(a)
39-004(b)
39-004(c)
39-004(d)
39-004(e)
39-005
39-006(a)
39-007(a)
39-008 (12)

Technical Area 40
40-001(b)
40-001(c)
40-003(a)
40-004
40-005
40-006(a)
40-006(b)
40-006(c)
40-009
40-010 (10)

Technical Area 41
41-001
41-002(a)
41-002(b)
41-002(c) (4)

Technical Area 42
42-001(a)
42-001(b)
42-001(c)
42-002(b)
42-003 (5)

Technical Area 43
43-001(a)
43-002 (2)

Technical Area 45
45-001
45-002
45-003
45-004 (4)

Technical Area 46
46-002
46-003(a)
46-003(b)
46-003(c)
46-003(d)
46-003(e)
46-003(f)
46-003(g)
46-003(h)
46-004(a)
46-004(a2)
46-004(b)
46-004(b2)
46-004(c)
46-004(c2)
46-004(d)
46-004(d2)
46-004(e)
46-004(f)
46-004(g)
46-004(h)
46-004(m)
46-004(p)
46-004(q)
46-004(r)
46-004(s)
46-004(t)
46-004(u)
46-004(v)
46-004(w)
46-004(x)
46-004(y)
46-004(z)
46-005
46-006(a)
46-006(b)
46-006(c)
46-006(d)
46-006(f)
46-006(g)
46-007
46-008(a)
46-008(b)
46-008(d)
46-008(e)
46-008(f)
46-008(g)
46-009(a)
46-009(b)
46-010(d) (50)

Technical Area 48
48-002(a)
48-002(b)
48-003
48-004(a)
48-004(b)
48-004(c)
48-005
48-007(a)
48-007(b)
48-007(c)

TABLE A

48-007(d)
48-007(f)
48-010 (13)

Technical Area 49

49-001(a)
49-001(b)
49-001(c)
49-001(d)
49-001(e)
49-001(f)
49-001(g)
49-003
49-004
49-005(a)
49-006 (11)

Technical Area 50

50-001(a)
50-002(a)
50-002(b)
50-002(c)
50-004(a)
50-004(b)
50-004(c)
50-006(a)
50-006(c)
50-006(d)
50-009
50-011(a) (12)

Technical Area 52

52-001(d)
52-002(a) (2)

Technical Area 53

53-001(a)
53-001(b)
53-002(a)
53-002(b)
53-005
53-006(b)
53-006(c)
53-006(d)
53-006(e)
53-006(f)
53-007(a) (11)

Technical Area 54

54-001(a)
54-004 (excluding Shaft no. 9)
54-005
54-006
54-007(a)
54-012(b)
54-013(b)
54-014(b)
54-014(c)
54-014(d)
54-015(k)
54-017
54-018
54-019
54-020 (15)

Technical Area 55

55-008 (1)

Technical Area 60

60-002
60-005(a)
60-006(a)
60-007(a)
60-007(b) (5)

Technical Area 61

61-002
61-005
61-006
61-007 (4)

Technical Area 63

63-001(a)
63-001(b) (2)

Technical Area 69

69-001 (1)

Technical Area 73

73-001(a)
73-001(b)
73-001(c)
73-001(d)
73-002
73-004(a)
73-004(b)
73-004(c)
73-004(d)
73-006 (10)

Total SWMUs in Table A= 767

Table A.1
No Further Action
SWMUs removed from Table A through a Class III Permit Modification and date of removal

0-003	09-05-03
0-005	12-23-98
0-012	09-05-03
0-016	11-09-01
0-028(a)	09-05-03
0-028(b)	09-05-03
1-001(h)	12-23-98
1-001(i)	12-23-98
1-001(j)	12-23-98
1-001(k)	12-23-98
1-001(l)	12-23-98
1-001(m)	09-05-03
1-001(n)	12-23-98
2-008(b)	11-09-01
3-001(a)	12-23-98
3-001(b)	12-23-98
3-001(c)	12-23-98
3-002(b)	12-23-98
3-009(b)	12-23-98
3-009(c)	05-02-01
3-009(d)	04-22-07
3-009(e)	12-23-98
3-009(f)	12-23-98
3-009(g)	05-02-01
3-009(h)	12-23-98
3-012(a)	12-23-98
3-018	12-23-98
3-020(a)	12-23-98
3-035(a)	12-23-98
3-035(b)	12-23-98
3-039(a)	12-23-98
3-043(e)	05-02-01
3-044(a)	05-02-01
6-003(g)	11-09-01
7-003(c)	12-23-98
7-003(d)	12-23-98
8-003(b)	12-23-98
8-003(c)	12-23-98
8-006(b)	12-23-98
8-007	12-23-98
C-8-010	04-22-07
9-003(c)	12-23-98
9-003(f)	12-23-98
9-005(b)	12-23-98
9-005(c)	12-23-98
9-005(e)	12-23-98
9-005(f)	12-23-98
9-005(h)	12-23-98
9-007	12-23-98
11-007	12-23-98
11-011(c)	05-02-01
14-004(b)	05-02-01
15-009(j)	11-09-01
15-010(c)	04-22-07
15-012(a)	11-09-01
15-012(b)	11-09-01
15-014(m)	12-23-98
16-005(i)	12-23-98
16-005(o)	12-23-98
16-006(b)	12-23-98
16-006(f)	12-23-98
16-010(g)	12-23-98
16-012(a)	12-23-98
16-012(b)	12-23-98
16-012(c)	12-23-98
16-012(d)	12-23-98
16-012(e)	12-23-98
16-012(f)	12-23-98
16-012(g)	12-23-98
16-012(h)	12-23-98
16-012(i)	12-23-98
16-012(j)	12-23-98
16-012(k)	12-23-98
16-012(l)	12-23-98
16-012(m)	12-23-98
16-012(n)	12-23-98
16-012(o)	12-23-98
16-012(p)	12-23-98
16-012(q)	12-23-98
16-012(r)	12-23-98
16-012(s)	12-23-98
16-012(t)	12-23-98
16-012(u)	12-23-98
16-012(v)	12-23-98
16-012(w)	12-23-98
16-012(x)	12-23-98
16-012(y)	12-23-98
16-012(z)	12-23-98
18-007	05-02-01
20-003(a)	04-22-07
21-005	11-09-01
21-012(a)	12-23-98
21-024(m)	12-23-98
21-027(b)	12-23-98
27-001	05-02-01
33-004(e)	12-23-98
33-004(f)	12-23-98
35-003(i)	12-23-98
35-004(e)	05-02-01
35-006	05-02-01
35-011(a)	05-02-01
35-013(d)	05-02-01
36-003(c)	12-23-98
39-003	12-23-98
39-006(b)	12-23-98
40-001(a)	12-23-98
46-008(c)	12-23-98
52-001(a)	12-23-98
52-001(b)	12-23-98
52-001(c)	12-23-98
52-002(b)	12-23-98
52-002(c)	12-23-98
52-002(d)	12-23-98
52-002(e)	12-08-97
52-002(f)	12-23-98
53-007(b)	12-23-98
54-001(c)	12-23-98
54-007(b)	05-02-01
54-007(c)	09-05-03
54-013(a)	12-23-98
54-015(h)	05-02-01
55-009	04-22-07
59-001	05-02-01
61-004(a)	05-02-01
73-005	09-05-03

SWMUs removed from Table A = 125

TABLE C

RFI Work Plan due July 7, 1994:
Technical Area 16

16-005(a)
16-005(c)
16-005(d)
16-005(e)
16-005(h)
16-005(j)
16-005(k)
16-005(l)
16-005(m)
16-006(g)
16-006(h)
16-015(a)
16-015(b)
16-017
16-024(e)
16-025(a)
16-025(b)
16-025(b2)
16-025(c2)
16-025(d)
16-025(e)
16-025(f)
16-025(g)
16-025(h)
16-025(i)
16-025(j)
16-025(k)
16-025(l)
16-025(m)
16-025(n)
16-025(o)
16-025(p)
16-025(q)
16-025(r)
16-025(s)
16-025(t)
16-025(u)
16-025(v)
16-025(w)
16-025(x)
16-025(y)
16-025(z)
16-026(m)
16-026(n)
16-026(o)
16-026(p)
16-026(q)
16-026(s)
16-026(w)
16-028(a)
16-029(a2)
16-029(b2)
16-029(c2)
16-029(d2)
16-029(e2)
16-029(f2)
16-029(g2)
16-029(h2)
16-029(k)
16-029(l)
16-029(m)
16-029(n)
16-029(o)
16-029(p)
16-029(q)
16-029(r)
16-029(s)
16-029(t)
16-029(u)
16-029(v)
16-029(w)
16-029(x)
16-029(y)
16-029(z)
16-031(c)
16-031(d)
16-032(a)
16-032(c)
16-034(a)
16-034(b)
16-034(c)
16-034(d)
16-034(e)
16-034(f)
16-034(l)
16-034(m)
16-034(n)
16-034(o)
16-034(p)
C-16-025
C-16-026

* **Total SWMUs = 91**

* 20 additional SWMUs were added after workplan review

RFI Work Plan due July 7, 1995:
Technical Area 16

16-016(d)
16-016(e)
16-016(g)
16-025(a2)
16-025(d2)
16-026(a)
16-026(b2)
16-026(c2)
16-026(f)
16-026(g)
16-026(i)
16-026(j)
16-026(k2)
16-026(l)
16-026(r)
16-026(u)
16-026(y)
16-026(z)
16-028(b)
16-028(c)
16-028(d)
16-028(e)
16-029(h)
16-029(i)
16-029(j)
16-030(a)
16-030(c)
16-031(a)
16-031(b)
16-031(e)
16-031(f)
16-031(h)
16-034(h)
16-034(i)
16-034(j)
16-034(k)

Total SWMUs = 36

RFI Work Plan due May 21, 1995:
Operable Unit 1114

3-009(i)
3-009(j)
3-011
3-021
3-025(b)
3-026(c)
3-029
3-031
3-034(a)
3-034(b)
3-043(c)
3-045(a)
3-045(b)
3-045(c)
3-045(e)
3-045(f)
3-045(g)
3-045(h)
3-046
3-049(a)
3-049(b)
3-049(e)
3-050(a)
3-050(d)
3-050(f)
3-050(g)
3-052(a)
3-052(e)
3-052(f)
3-054(a)
3-054(b)
3-054(c)
3-054(d)
3-054(e)
3-055(a)
3-055(c)
3-056(d)
3-056(l)
3-059

Total SWMUs = 39

TABLE C

Table C.1

No Further Action

SWMUs removed from Table C through a Class III Permit Modification and date of removal

3-002(a)	05-02-01	3-050(e)	05-02-01	16-025(h2)	04-22-07	16-030(e)	04-22-07
3-002(d)	05-02-01	3-052(c)	05-02-01	16-026(a2)	04-22-07	16-030(f)	04-22-07
3-009(c)	05-02-01	3-055(d)	05-02-01	16-026(d2)	04-22-07	16-031(g)	12-23-98
3-019	05-02-01	3-056(m)	05-02-01	16-026(e2)	04-22-07	16-032(d)	12-23-98
3-024	12-08-97	3-056(n)	05-02-01	16-026(f2)	04-22-07	16-032(e)	12-23-98
3-025(a)	05-02-01	16-005(b)	05-02-01	16-026(g2)	04-22-07	16-034(g)	12-23-98
3-026(b)	05-02-01	16-005(f)	12-23-98	16-026(h)	04-22-07		
3-032	05-02-01	16-006(i)	12-23-98	16-026(i2)	12-23-98	**Total SWMUs removed from Table C=42**	
3-045(d)	12-08-97	16-025(c)	12-23-98	16-026(k)	04-22-07		
3-045(i)	05-02-01	16-025(e2)	04-22-07	16-026(t)	04-22-07		
3-049(c)	05-02-01	16-025(f2)	04-22-07	16-026(x)	04-22-07		
3-049(d)	05-02-01	16-025(g2)	12-23-98	16-030(b)	04-22-07		

Response to Comments Received on Intent to Approve Class 3 Permit Modification for Los Alamos National Laboratory RCRA Permit

NMED issued a *Notice of Public Comment Period and Intent to Approve a Permit Modification to RCRA Permit for U.S. Department of Energy, Los Alamos National Laboratory,* on October 26, 2006. One comment was received by NMED during the public comment period that ended on December 26, 2006.

Comment from NMED Surface Water Quality Bureau:

Has Los Alamos National Laboratory demonstrated to the New Mexico Environment Department that each SWMU that is being considered for No Further Action status is (and will be) in compliance with the New Mexico Standards for Interstate and Intrastate Surface Waters (20.6.4 NMAC) and the New Mexico WQCC Ground and Surface Water Protection Regulations (20.6.2 NMAC) as required by Section VIII.C of the March 1, 2005 Compliance Order on Consent?

NMED Response:

The New Mexico Standards for Interstate and Intrastate Surface Waters (20.6.4 NMAC) and the New Mexico WQCC Ground and Surface Water Protection Regulations (20.6.2 NMAC) do not apply to 19 of the 23 solid waste management units (SWMUs) being considered for No Further Action (NFA) status. These SWMUs either were not used for management of hazardous waste, or were not known or suspected to have had releases of hazardous wastes or hazardous constituents. Sixteen were granted NFA based on criterion 2 (the site was never used for the management of RCRA solid or hazardous wastes and/or constituents). Three SWMUs were granted NFA based on criterion 3 (the SWMU is not known or suspected to have released solid or hazardous wastes and/or constituents to the environment).

The comment applies to the remaining four SWMUs that were granted NFA based on the criterion 5 that the SWMU was characterized or remediated in accordance with applicable state and/or federal regulations, and that the available data indicate that contaminants do not pose an unacceptable level of risk under current and projected future land use. SWMU C-08-010, a former drum storage area, should not have any impact on surface water because the sample data from the site indicate that there was no release of contaminants at the site.

SWMUs 21-013(d), 21-013(e), 21-024(f), as well as areas of concern (AOCs) C-21-015 and 21-030 , do not pose an unacceptable risk to human health and environment based on investigation results. These SWMUs and AOCs were not evaluated for compliance with the New Mexico Standards for Interstate and Intrastate Surface Waters (20.6.4 NMAC) and the New Mexico WQCC Ground and Surface Water Protection Regulations (20.6.2 NMAC) as required by Section VIII.C of the March 1, 2005 Compliance Order on Consent; therefore, NMED is not granting NFA for these units at this time. NMED cannot

approve the NFA for these sites until the Permittees address the comments, and demonstrate compliance with the New Mexico Standards for Interstate and Intrastate Surface Waters (20.6.4 NMAC) and the New Mexico WQCC Ground and Surface Water Protection Regulations (20.6.2 NMAC).