



Permit

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

JAN 9 2008

January 11, 2008

Mr. John E. Kieling, Program Manager
New Mexico Environment Department
Permits Management Program, Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building One
Sante Fe, NM 87505-6303

Subject: Draft Hazardous Waste Facility Permit
Los Alamos National Lab
EPA ID No. NM890010515-1

Dear Mr. Kieling,

Thank you for the opportunity to review and comment on the draft permit for Los Alamos National Lab. Review by my staff has generated the following comments for your consideration.

1. Page 177, Line 27. Due to the nature of releases of explosives from OB/OD units as particulates which do not readily migrate through the soils, EPA recommends samples collected for soil analysis for explosives should be collected from the upper 2 inches, rather than the 0 - 6 inches specified. Also, the method for explosives analysis in EPA's SW-846 manual of methods has been changed recently, with method 8330(b) being the currently adopted version. This method also now includes an appendix which describes a multi-increment sampling approach for collecting soil samples for explosives. These revisions were adopted based on data by the Department of Defense which showed traditional discrete soil samples for explosives demonstrated up to four orders of magnitude variation over less than one meter distances, while multi-increment samples prepared using the new procedures in 8330(b) greatly increases the representativeness and reproducibility of the data.
2. Page 177, Line 27-28. Perchlorate should be added to the list of analytes, unless the facility can document the materials treated at the site did not contain this constituent.
3. Page 177, Lines 28-29. The draft permit requires annual soil sampling be conducted at locations 25 feet from the pad, in four different directions. While this approach may well be indicative of potential releases due to wind blown ash from the pan after the burn, it is not sufficient to determine whether releases are occurring from the burn itself, which can be carried substantial distances. The facility should supplement this with additional soil sampling at



locations to be based on modeling of where the most likely impacts could occur. This approach is being done at other facilities in Region 6.

4. Page 178, Lines 3-5, 7-9, and 31-33. Each of these portions of the draft permit contains two maximum annual amount limitations, which appear to be in conflict with each other. Please clarify the appropriate limits.
5. Page 178, Lines 10-22. The list of constituents prohibited from treatment in the open burning operations listed in this portion of the permit are in conflict with the list of constituents which are listed as being treated in these units in Appendix C, Table C-6.
6. General. Appendix C, Section C.1.3.2, and Table C-6, indicate many types of wastes are to be treated by open burning, including listed halogenated solvents, which are contaminated with explosive wastes. Open burning and open detonation are technologies which are restricted to explosive wastes. While de minimus amounts of other wastes may be present as contamination with explosive wastes, the material to be treated must be reactive as generated and treated; explosives contamination alone does not justify treatment by open burning or open detonation. When other wastes are present along with explosives, even if the material is reactive, the facility should demonstrate that no other treatment technologies are capable of treating the wastes. Also, if other wastes, at amounts other than de minimus, are treated in the unit, the monitoring program should include constituents appropriate to those wastes.

Should you have questions regarding these comments, please feel free to contact either myself, or Mr. Michael Overbay, P.G., of my staff, at (214)665-6482.

Sincerely,



Mrs. Laurie F. King, Chief
Federal Facilities Section

cc: Mr. Kishor Fruitwala, EPA
Mr. Richard Mayer, EPA