



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

2905 Rodeo Park Drive East, Building 1,
Santa Fe, NM 87505-6303
Phone (505)476-6000 Fax (505) 476-6030
www.env.nm.gov



RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

July 25, 2016

Kimberly Davis Lebak
Manager
Los Alamos Field Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

John P. McCann
Acting Division Director
Environment Protection and Compliance Division
Los Alamos National Security, LLC
P.O. Box 1663, MS-M991
Los Alamos, NM 87545

**RE: FEE ASSESSMENT AND APPROVAL
CLASS 1 MODIFICATION TO THE
LOS ALAMOS NATIONAL LABORATORY (LANL)
HAZARDOUS WASTE PERMIT
EPA ID #NM0890010515
HWB-LANL-16-031**

Dear Ms. Davis Lebak and Mr. McCann:

The New Mexico Environment Department (Department) received the Department of Energy and Los Alamos National Security, LLC, (collectively, the Permittees) *Transmittal of Class 1 Permit Modification Request for the Addition of Treatment in Containers by Stabilization, Los Alamos National Laboratory (LANL) Hazardous Waste Permit* (Permit) and referenced by EPC-DO-16-174 and LA-UR-16-24452. The Permittees submitted this permit modification request (PMR) on June 30, 2016, seeking to modify the Permit to add treatment in containers to Technical Area 50, Building 69; modifying the unit from an indoor storage unit to an indoor storage/treatment unit. The treatment proposed by the Permittees is the stabilization of remediated and unremediated nitrate salt-bearing waste by the addition of zeolite. This PMR modifies Permit Parts 2 and 7; as well as Attachments A, B, C, G.4, G.5, J, and N.

The Department has reviewed this PMR in accordance with 20.4.1.900 NMAC (incorporating 40 CFR §270.42(a)(2)). The Department has completed its review of the PMR to and hereby issues this Approval of the PMR with the following modification:

Ms. Davis Lebak and Mr. McCann:

July 25, 2016

Page 2

Modification:

Attachment C, Section C.3.2.4.1, page 25

The Permittees propose providing analytical results acquired by testing samples collected from the remediated nitrate salt-bearing waste (RNS), and unremediated nitrate salt waste (UNS) prior to/and after treatment to the Department "within 120 days of sample collection".

Based on a discussion with the Permittees, the Department modified the Permittees commitment to provide results to the Department from 120 to 60 days.

To facilitate in the review of the analysis of samples of RNS and UNS waste, the Permittees must also report the analytical values with a column of expected ranges for each analyte. The Department has modified the language in this Section to clarify "[a]nalytical results for this testing shall be provided to the Department within 60 days of sample collection; the Permittees shall provide these results in the form of a table with a column of expected ranges for each analyte based on the Permittees surrogate waste testing."

An electronic version of the Permit that incorporates the modifications is enclosed with this letter. The modified Permit is also available on the Department's Hazardous Waste Bureau website at <http://www.nmenv.state.nm.us/hwb/lanlperm.html>

The New Mexico Hazardous Waste Management Regulation 20.4.901A(10) NMAC states, 'A final permit decision shall become effective thirty (30) days after the notice of the decision has been served on the applicant. The modified Permit will become effective 30 days after the date of this Approval.

The New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2.201.F NMAC require the assessment of fees. Payment is normally due within sixty (60) calendar days from the date that you receive the invoice in accordance with 20.4.2.301.C NMAC. However, because the Department currently maintains a supplemental fee agreement with the Permittees for State fiscal year 2016, and the Permittees transmitted payment of supplemental fees, the fee invoice has been effectively paid under these supplemental fees.

If you have any questions regarding this correspondence, please contact Siona Briley of my staff at 505-476-6049.

Sincerely,

A handwritten signature in blue ink, appearing to read "John E. Kieling". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

John E. Kieling
Chief

Hazardous Waste Bureau

Ms. Davis Lebak and Mr. McCann:

July 25, 2016

Page 3

Attachments

- 1) Fee Invoice
- 2) CD Attachment (Permit)

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
S. Briley, NMED HWB
L. King, EPA 6PD-N
D. Hintze, EM-LA
J. Pugh, NA-LA, MS-A316
M. Haagenstad, EPC-CP, MS-K404
S. Martinez, ADEM-MA M992

File: 2016 Reading, LANL Class 1 Permit Modification with Prior Approval
LANL-16-031



**New Mexico
Environment Department
Hazardous Waste Bureau**

Los Alamos National Lab
P O Box 1663
MS-M992
Los Alamos, NM 87545
Attn: Cindy Maze

July 25, 2016

Invoice # - HWB-LANL-16-031

Transmittal of Class 1 Permit Modification Request for the Addition of Treatment in Containers by Stabilization, Los Alamos National Laboratory Hazardous Waste Permit

Quantity	Item	Item Cost	Total Cost
1	Class 1 (with prior approval)	\$2,500.00	\$2,500.00
		Total Fees	\$2,500.00
		Adjustment	\$0.00
		Pay This Amount	\$2,500.00

PAID BY
SUPPLEMENTAL FEE
AGREEMENT
JULY 25, 2016

Make Checks Payable to: NMED/HWB

Mail Checks and Invoice to:

**New Mexico Environment Department, HWB
Attn: James Valdez
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505**

When you provide a check as payment, you authorize the State of New Mexico to either use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

Check Number: _____ Amount Received: _____

Date Received: _____