



Department of Energy
 Albuquerque Operations Office
 Los Alamos Area Office
 Los Alamos, New Mexico 87544

MAY 23 1994

Ms. Barbara Driscoll
 RCRA Permits Branch
 Hazardous Waste Management Division
 U.S. EPA, Region 6
 1445 Ross Ave., Suite 1200
 Dallas, Texas 75202-2733

Re: Request for 30-day extension to respond

Dear Ms. Driscoll:

The Department of Energy (DOE) and the Los Alamos National Laboratory (LANL) request an additional 30 days to respond to deficiency number nine in the NOD for OU 1157. As stated in the body of the deficiency, DOE/LANL may provide a separate response to this particular comment. The text of the Environmental Protection Agency's (EPA) deficiency number nine is reproduced below in its entirety for your convenience.

9. EPA does not necessarily agree with the no further action (NFA) criteria in Chapter 7, even though many of the units requested for NFA are approved because they do not need further investigation. For example: if an outfall is now permitted under NPDES does not preclude examination under RCRA if the outfall operated prior to being permitted. The NPDES permit does not ensure cleanup of past activities. LANL shall establish NFA criteria which can be applied across the facility at every Operable Unit. This will ensure consistency in evaluating these sites. EPA and NMED shall approve the established NFA criteria, and this may be a separate response from this NOD response. An initial draft will be due to EPA within 45 days of receipt of this NOD.

To respond in part to the deficiency, DOE/LANL have established NFA criteria in each workplan submitted to the EPA. EPA's point that "establishing NFA criteria which can be applied across the facility will ensure consistency" is a constructive criticism and is well taken. However, we will not be able to incorporate the concerns contained in this deficiency and meet the scheduled response date for the four workplans due May 23, 1994. We plan to use a subset of the appropriate criteria from previously submitted and approved workplans and apply those criteria across all of the OUs in the future.

We shall provide to your office and to NMED, a draft of our NFA criteria by June 22, 1994. Should this request not be appropriate, please notify us as soon as possible.



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If you have any questions, please call Court Fesmire at (505) 665-4718 or Ted Taylor at (505) 667-7203.

Sincerely,


Joseph Vozella, Chief
Environmental, Safety and Health Branch

cc:

Ms. Kathleen Sisneros
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B. Swanton, NMED-AIP, MS M993
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T. Baca, UC-LANL, EMP, MS J591
J. Jensen, EM/ER, MS M992
RPF, MS M707

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MAY 25 1994

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OFFICE OF THE SECRETARY