



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-1557
Fax (505) 827-1544



MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

August 28, 1997

Mr. G. Thomas Todd, Area Manager
Los Alamos Area Office-Department of Energy
528 35th Street
Los Alamos, New Mexico 87544

Dr. Sigfried Hecker, Director
Los Alamos National Laboratory
P.O. Box 1663, MS-A100
Los Alamos, NM 87545

RE: Response to Notice of Deficiency (NOD) for Interim Action (IA) Plans Dated June 28, 1997 for Technical Area (TA)-15, Potential Release Sites (PRSs) 15-007(c), 15-004(f) and 15-008(a) (EM/ER:97-287) Los Alamos National Laboratory (NM0890010515)

Dear Mr. Todd and Dr. Hecker:

This letter is in response to the Los Alamos National Laboratory letter referenced by EM/ER:97-287 regarding the appropriateness of Notice of Deficiency (NOD) comments on voluntary activities from New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB).

As discussed in a letter to Mr. Theodore J. Taylor and Mr. Jorg Jansen dated April 9, 1997 from HRMB regarding the call-in of the Interim Action (IA) Plans for Technical Area (TA) 15 Solid Waste Management Units (SWMUs), these documents were identified as high priority for review and are placed on HRMB's EPA grant for Fiscal Year 1997. In addition, the letter documents that under 40 CFR Part 270.30(a) *Duty to Comply* and 270.30(h) *Duty to Provide Information* of the Hazardous Waste Management Regulations, 20 NMAC 4.1, LANL shall submit an appropriate response to the NODs issued for all Interim Actions. Also, LANL's Hazardous and Solid Waste Amendment, Module VIII of the RCRA Permit requires that for an interim measure, as defined in a letter dated April 10, 1997, to Messrs. Taylor and Jansen, the permittee will submit appropriate documentation to the Administrative Authority (NMED/HRMB) for approval. NMED HRMB required that DOE/LANL respond appropriately within thirty (30) calendar days within receipt of the NOD letter. LANL failed to respond to the NOD adequately and therefore is out of compliance. NMED HRMB is requiring LANL to respond to the deficiencies, noted in the NOD letter, within ten (10) calendar days upon the receipt of this letter. If LANL does not submit a complete response to the NOD or submit the response within ten (10) calendar days, LANL should be advised an appropriate enforcement action may be issued.



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TRANS LANL, SPEL, EPA, DOE, HRMB, HRMB/DOE

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Should you have any questions concerning this letter, please contact myself or Mr. John Kieling, LANLs Facility Manager at (505) 827-1561.

Sincerely,



Robert S. (Stu) Dinwiddie
RCRA Permits Management Program Manager
Hazardous and Radioactive Materials Bureau

RSD:jry

Attachments

cc (w/attachments):

- F. Baca, LANL EM-DO, MS J951
 - J. Davis, NMED HRMB
 - B. Garcia, NMED HRMB
 - J. Glatzmaier, LANL DDEES/ER, MS-M992
 - M. Gilgosch, MS A316
 - G. Gould, ESA-EPE, MS-G787
 - J. Jansen, LANL ER, MS-M992
 - M. Johansen, DOE LAAO, MS-A316
 - J. Kieling, NMED HRMB
 - M. Leavitt, NMED GWQB
 - H. LeDoux, DOE LAAO, MS A316
 - D. McInroy, LANL EM/ER, MS-M992
 - D. Neleigh, EPA, 6PD-N
 - J. Parker, NMED DOE-OB
 - C. Saums, NMED SWQB
 - W. Taylor, DOE LAAO, MS-A316
 - J. Tymkowich, NMED HRMB
 - S. Yanicak, NMED DOE-OB, MS-J993
 - J. Young, NMED HRMB
- File: LANL HSWA 2/1086/15
Track: LANL, 8/28/97, n/a, DOE/LANL, HRMB/jry, RE, file