



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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

EDGAR T. THORNTON, III
DEPUTY SECRETARY

November 25, 1996

77/16
Mr. G. Thomas Todd, Area Manager
DOE/LAAO
528 35th Street
Los Alamos, New Mexico
87545

RE: NOTICE OF CLASS DETERMINATION: TECHNICAL AREA 16 OPEN BURN
UNITS AND CONTAINER STORAGE UNIT.

Dear Mr. Todd:

The Hazardous and Radioactive Materials Bureau (HRMB) of the New Mexico Environment Department (NMED) received the Los Alamos National Laboratory (LANL) request for the Hazardous Waste Operating Permit Modification dated June, 1995 and its subsequent revision (regarding TA 16-388, standard operating procedures, etc.) dated April 15, 1996. HRMB completed the file review for the determination of the Class II (major) and Class III (major) permit modifications. HRMB has determined that the RCRA Part A Permit Application is complete while the RCRA Part B Permit Application is incomplete. The RCRA Part B Permit Application was missing information (maps and/or descriptive narrative) on the barriers required for controlling run-on/run-off in the open burn units addressed in this modification. This information is required under 20 NMAC 4.1, §270.14(b)(19)(xi).

The New Mexico Hazardous Waste Fee Regulations, 20 NMAC 4.1, §206.B.2 require the assessment of permit fees for permit modifications. Permit modifications classified as Class II (major) and Class III (major) by the New Mexico Hazardous Waste Management Regulations, 20 NMAC 4.1, Subpart IX, §270.42(b) and Appendix I to §270.42 require extensive staff time and administrative effort to review the impact of the modifications on the permit. Major modifications will therefore be charged at the basic permit fee plus the applicable unit fee from the tables in Sections 201 through 203 of the New Mexico Hazardous Waste Fee Regulations. The Class II and III Modifications to amend LANL's Hazardous Waste Facility Permit are subject to a fee of \$49,000.00 (refer to Permit Fee Worksheet attached). Within 30 calendar days of the receipt of this Notice of Class



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Determination, LANL must submit to HRMB the Permit Modification Fees and the information required under 20 NMAC 4.1, §270.14(b) (19)(xi). Failure to submit the remittance by the due date will delay HRMB's processing of the modification request, and may result in a denial of the permit modification.

Please submit the remittance by Certified Mail payable to NMED Hazardous Waste Permit Fees.

Address payment to:

RCRA Permits Management Program
New Mexico Environment Department
Hazardous and Radioactive Materials Bureau
P.O. Box 26110
Santa Fe, New Mexico 87502

If you have any further questions regarding this matter, please contact Susan Hoines of my staff at (505) 827-1558.

Sincerely,



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

Enclosure (1)

cc: Benito Garcia, Chief HRMB
Susan Hoines, RCRA Permits Management Program, HRMB
David Neleigh, Chief EPA Region VI (6PD-N)
LANL TA-16 Red File '96'

