



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

OCT 15 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert S. (Stu) Dinwiddie, Ph. D.
Manager, RCRA Permits Management Program
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo St., Bldg. A
P. O. Box 26110
Santa Fe, NM 87505

Dear Dr. Dinwiddie:

Subject: Los Alamos National Laboratory (LANL) Request for Temporary Authorization
for Technical Area (TA) 16-388 Open Burn Units

The purpose of this letter is to request a Temporary Authorization, in accordance with NMAC 4.1 Subpart XI 270.42(a)(2)(i), for the TA-16-388 Open Burn Unit. The need for this request for temporary authorization was discussed in a meeting on September 26, 1997, between LANL staff and John Kieling of your staff. Enclosed are the locational maps discussed with Mr. Kieling.

A Part B Permit Application for TA-16 was submitted to the New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) on June 29, 1995. In order to obtain a temporary authorization, NMAC 4.1 Subpart IX 270.42(a)(2)(ii) requires facilities to provide a description of the activities to be conducted, an explanation of why it is necessary, and sufficient information to ensure compliance with NMAC 4.1 Subpart V 264 standards.

On February 18, 1997, NMED approved the closure plan for Material Disposal Area P (MDAP). NMED suggested that LANL continue to use the TA-16-387 Open Burn Unit until the MDAP closure process is complete. NMED proposed that the Open Burn Unit now at TA-16-387 be relocated away from MDAP at the TA-16 Burn Grounds. Based on your verbal approval during our September 23, 1996 meeting, the existing open burn unit at TA-16-388 is under design for the relocation of the burn tray and flash pad operations.

I. Description of Activities to be Conducted at TA-16-388 Under the Temporary Authorization

Several types of HE-contaminated waste materials will be treated at the TA-16-388 Open Burn Unit:

- Waste oil/solvents contaminated with HE.



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- Scrap - any machinery, equipment, building materials, or furniture used in HE-processing areas is considered potentially contaminated with HE and is not allowed to leave the area until any HE has been removed.
- HE on contaminated debris in support of the remediation and closure of MDAP.
- HE-contaminated materials from production and operation areas.
- Wastes associated with D&D activities that contain HE.
- Wastes associated with the MDAP closure, including personal protective clothing, disposable sampling equipment, liquids and sludge from decontamination, debris, and soil/tuff from the waste pile.

The TA-16-388 Open Burn Unit will run simultaneously with the TA-16-387 unit in order to facilitate the closure process activities at the MDAP and to guarantee adequate capacity for the operational wastes generated during this time frame. The TA-16-387 unit will undergo the closure process after the completion of MDAP closure activities.

II. Necessity for TA-16 Temporary Authorization and Compliance with NMAC 4.1 Subpart V 264 Standards

NMAC 4.1 Subpart IX 270.42(e)(3) requires that the director must find:

- "The authorized activities are in compliance with the standards of NMAC 4.1 Subpart V 264," and
- "the temporary authorization is necessary to achieve one of the following objectives before action is likely to be taken on a modification request."

The following information provides the rationale for seeking this temporary authorization:

Subject to NMED's determination of the TA-16 Permit Application's completion, LANL believes that all requirements under NMAC 4.1 Subpart V 264 standards have been met. The Part B Permit Application requirements under NMAC 4.1 Subpart IX 270.14 address compliance issues associated with NMAC 4.1 Subpart V 264 standards. Please refer to the already submitted TA-16 Part B Permit Application for compliance issues under NMAC 4.1 Subpart V 264 standards.

NMAC 4.1 Subpart IX 270.42(e)(3)(ii)(A) allows for a temporary authorization "To facilitate timely implementation of closure or corrective action activities." The impetus for this unit is to facilitate the timely and efficient closure of MDAP (discussed earlier). The closure plan for this unit has been approved and closure activities have already commenced. They will soon be generating waste for flashing, and the unit must be ready for it.

NMAC 4.1 Subpart IX 270.42(e)(3)(ii)(C) allows for a temporary authorization "To prevent disruption of ongoing waste management activities." Without this unit at TA-16-388, we will be unable to handle the waste generated by closure activities at

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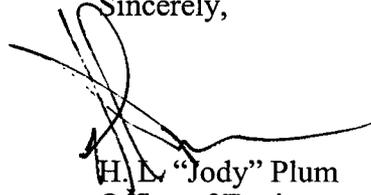
Dr. Robert S. Dinwiddie

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MDAP and the routine operational wastes generated by ESA and other divisions within LANL.

If you should have any questions regarding this request, please contact me at (505) 665-5042.

Sincerely,

A handwritten signature in black ink, appearing to be "H. L. 'Jody' Plum". The signature is written in a cursive style with a long horizontal flourish extending to the right.

H. L. "Jody" Plum
Office of Environment

LAAMEP:3JP-066

Enclosures

cc w/o enclosures:

Dave McInroy, EM-ER, LANL, MS-M992

Cindy Sandoval, TSA-5, LANL, MS-F602

Ann Sherrard, ESH-3, LANL, MS-C924

Jim White (970266.JEE), ESH-19, LANL, MS-K490

Jack Ellvinger, ESH-19, LANL, MS-K490