



State of New Mexico
ENVIRONMENT DEPARTMENT
 Hazardous & Radioactive Materials Bureau
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 RCRA PERMITS PROGRAM

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 10, 1998

Mr. David A. Gurule, Area Manager
 Department of Energy
 Los Alamos Area Office
 528 35th Street, Mail Stop A316
 Los Alamos, New Mexico 87544

Dr. John C. Browne, Director
 Los Alamos National Laboratory
 P.O. Box 1663, Mail Stop A100
 Los Alamos, New Mexico 87545

Dear Mr. Gurule and Dr. Browne:

**RE: Notice of Deficiency; Technical Area (TA) 16 Part B
 Application
 EPA I.D. No. NM 089 001 0515**

The New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) has received DOE/LANL's (LANL) response (Ref: ESH-DO:98-312) to HRMB's October 22, 1998 Request for Explanation of Process for the TA-16 High Explosives Wastewater Treatment Facility (HEWTF). A review of the response reveals that it does not address the information requested in HRMB's letter of October 22, therefore HRMB is issuing this Notice of Deficiency (NOD) for the TA-16 Part B Application. The NOD reiterates the request of October 22; the comments are reiterated as Appendix A.

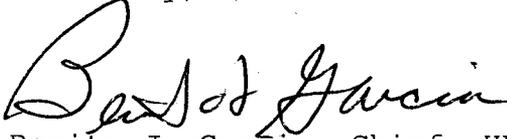
LANL is required to respond within thirty (30) calendar days of receipt of this NOD. If the receipt is not signed, LANL will respond within thirty (30) calendar days of the date of this NOD. Failure to respond within thirty (30) calendar days will result in a public notice with intent to deny the Part B application.



Mr. Gurule and Dr. Browne
December 10, 1998
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If there are any questions, please feel free to contact Mr. John Kieling, HRMB's LANL Facility Manager at (505) 827-1558, extension 1012.

Sincerely,



Benito J. García, Chief, HRMB

BJG/mjc

cc: Robert S. (Stu) Dinwiddie, NMED HRMB
John Tymkowich, NMED HRMB
John Kieling, NMED HRMB
Michael Chacón, NMED HRMB
Jim Davis, NMED SWQB
John Parker, NMED DOE OB
Steve Yanicak, NMED DOE OB
David Neleigh, EPA (6PD-N)
H. Ledoux, DOE LAAO, MS A316
Jody Plum, DOE LAAO, MS A316
Jack Ellvinger, LANL ESH-19, MS K490
File: Reading and Red LANL TA-16 '98
Track: LANL, doc.date, NA, DOE/LANL, RPMP/Garcia, RE, File

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APPENDIX A

Specific Comments on LANL's letter dated November 19, 1998

- 1) LANL's November 19 letter states; "A majority of this information (emphasis added) has been provided to your staff and staff of the DOE Oversight Bureau on several occasions (emphasis added) in the past...". LANL'S response did not address the information request.
- 2) If LANL's responses to HRMB correspondence contain statements regarding materials delivered to HRMB, LANL shall provide references (e.g. ESH-DO numbers, dates, receipt numbers).
- 3) LANL wrongfully assumes that the information which LANL asserts was provided to HRMB and DOE OB on "several occasions in the past", was not shared with HRMB. As the permittee, it is LANL's responsibility to deliver requested information directly to HRMB. LANL shall not attempt to delegate that responsibility to any other entity, or channel information through a third party.
- 4) LANL also states that "LANL staff has made every effort (emphasis added) to provide detailed and current information to all requests concerning this subject from HRMB." HRMB disagrees with this statement since the response to HRMB's October 22, 1998 Request for Explanation of Process did not supply the requested information. This lack of response does not further the efforts by HRMB LANL and DOE staffs to build a cooperative and mutually beneficial working relationship.

Specific Comments on the HEWTF

- 1) LANL shall provide the screen size of the baskets used to separate out metals from the sumps.
- 2) LANL shall indicate whether or not any chemicals are added to the waste streams.
- 3) LANL shall explain whether or not any reintroduction of separated materials occurs.
- 4) LANL shall provide sampling results, points and schedules.
- 5) LANL shall provide sampling parameters (e.g. TSS, TOC, VOC etc.), of any/all waste streams, including waste from baskets or any devices used to separate solids from waste streams.
- 6) LANL shall indicate if sampling is performed before or after filtering through the baskets.
- 7) LANL shall indicate if the waste stream is constant or if it changes.
- 8) If the waste stream changes, provide information on how often the waste stream changes and detail the changes in composition.
- 9) LANL shall include the Waste Acceptance Criteria for the WWTF.