

JK ✓

TA-16



Hazardous & Solid Waste, ESH-19
Mail Stop K490
667-0633/Fax 667-5224

Date: January 28, 2002
Refer to: ESH-19:02-007

HAND DELIVERED



Mr. James Bearzi
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

Dear Mr. Bearzi:

SUBJECT: Response to December 24, 2001 Notice of Deficiency: Technical Review of the January 31, 2000, TA-16 Part B RCRA Permit Application, Revision 3.0

The purpose of this letter is to provide you with a status of the laboratory's endeavors to respond to the above referenced document. The document was received at the Los Alamos Area Office of the Department of Energy on December 28, 2001. The letter requires a response within 30 days of its receipt. The day of response should be January 26, 2002, a Saturday, and, therefore, would move to the following Monday, January 28, 2002. The laboratory started work on the response when it returned to work after the Christmas/New Years break on January 3, 2002.

Since January 18, 2002 the laboratory has been pursuing an extension of the due date. An e-mail followed by a formal request and a number of phone calls with various members of your staff have occurred on this issue. At this point in time an extension has not been granted. Your staff informed us that the 30 days we requested does not fit into the current permitting schedule the Hazardous Waste Bureau is operating under. Your staff is endeavoring to develop an alternate approach to the extension (providing some data soon and the remainder at a later date).

An extension is necessary to complete the response to the agency's request for a number of reasons. The above request for information required the laboratory to seek out a modeling tool it did not have previously. That has been obtained and is currently being employed. It requires an iterative process to obtain the results required in the Notice of Deficiency. Those conducting the modeling have told us they may have the information necessary to respond to the Notice of Deficiency by the end of the January.

As we have informed your staff, we are working diligently with ESA Division to develop all of the data that has been requested. At this point there is not any individual responses ready for submittal. Prior to submitting any response we are required to submit all data, documents and letters for a security review (could take anywhere from three days to a week) and obtain the appropriate certifications required by the New Mexico Hazardous Waste Regulations (adds another three days to a week).



Mr. James Bearzi
ESH-19:02-007

2

January 28, 2002

We have assured your staff and we assure you, we are applying all of the resources possible to respond to your request. We will strive to get the response to that document submitted within the requested 30 day extension. If it is at all possible we will deliver it sooner. We want to be responsive to your request but the amount of detail and volume of information required from a variety of sources at the laboratory require more time than was allowed in the Notice of Deficiency.

If you should have any questions concerning this letter please feel free to contact me at 667-0633 or by e-mail at jee@lanl.gov.

JE:vh

Sincerely,



Jack Ellvinger
ESH-19

Cy: G. Bacigalupa, ESH-19, K490
A. Barr, ESH-19, K 490
A. Sherrard, ESA-FM-ESH, C924
E. Louderbough, LC-GL, A187
G. Turner, OLASO, A316
IM-5, A150
ESH-19 File