

TASS



ENTERED

Environmental Protection Division
Water Quality & RCRA (ENV-RCRA)
P.O. Box 1663, Mail Stop K490
Los Alamos, New Mexico 87545
(505) 667-0666/FAX: (505) 667-5224

Date: March 10, 2008
Refer To: ENV-RCRA-08-053



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

Dear Mr. Pullen:

SUBJECT: RESPONSE TO QUESTIONS ABOUT LOS ALAMOS NATIONAL LABORATORY (LANL) CLOSED UNITS AND UNIT LISTING

The purpose of this letter is to answer the questions that you raised via email on January 31, 2008 and February 15, 2008. Below are the questions (italicized) reproduced from your emails and LANL's explanation/response.

- 1. *TA-35-128 container storage. The RD&D permit for the Packed-bed Reactor/Silent Discharge Plasma treatment unit had it located in this Building 128 before its being moved to Building 421. Was there a container storage unit associated with the treatment unit? Do you have any documentation regarding the ultimate disposition of this container storage unit?*

There is no record of a container storage area associated with the research, development, and demonstration (RD&D) Permit. The LANL unit database lists a unit for the RD&D Permit and two less than 90 day accumulation areas within that building. Neither of the less than 90 day areas are identified as being related to the RD&D permit. Additionally, none of the LANL Part A permit applications proposed to permit a storage unit at technical area (TA) 35.

- 2. *TA-35-421 RD&D Packed-Bed Reactor-Silent Discharge Plasma treatment unit – A July 8, 1996 NMED letter approving modification of the RD&D permit moved the unit from Building 128 to Building 421. I find no documentation on the unit after that. Your March 2007 units list says this unit was “approved for clean closure by NMED in March of 1997 (I presume this is something different than the August 25, 1995 LANL letter stating the unit “did not need to go through closure ... because ... no hazardous waste was received or stored at the former site of the unit [Building 128] ... the unit was not operational for the treatment of hazardous waste at the time of the relocation.” You suggested on 1-23-08 that the unit [Building 421] was never constructed. Do you have documentation showing the history and non-construction of this unit at Building 421?*



On March 24, 1997 the New Mexico Environment Department (NMED) issued a Cease and Desist order for both of LANL's RD&D Permits (HRM 97-02). LANL's response to the compliance order included a letter dated August 14, 1997. The subject line of the letter is: "Submittal of Required Closure Documentation for Compliance Order No. HRM-97-02." The August 14, 1997 letter includes the certification of no use for the treatment unit as an attachment.

3. *TA-50-116 CSU – The database says this was an interim status unit that has clean closed. I find no reference to this unit in any Part A. It doesn't appear in the database as being in Building 37. Can you find a reference to this unit?*

LANL has no record of a container storage unit at that location at any time. There is no building with that designation at TA-50 according to the LANL geographic information system (GIS) and the utilities and infrastructure mapping system. Nor is there any other reference in past or current LANL Part A applications or the LANL unit database for TA-50-116.

4. *TA-54 Area L WOST – The database says the unit was permitted and clean closed, yet I find no documentation of the clean closure. Your office provided numerous dates in your additions to the units lists; the unit was closed under interim status in 1991, NMED approved a closure plan 8/6/92, and unit was closed in June 1994 (with closure deferred for soil residues). Do you have a NMED approval of CC for any portion of the unit?*

The closure certification report and other documentation for the TA-54 Area L Waste Oil Storage Tanks was submitted July 16, 1991 and the approval for the closure plan for the unit dated August 6, 1992 states that most of the closure activities had already been conducted for the tanks and approves an addendum to the closure plan. The addendum states that soil sampling "will be conducted after May 7, 1999" in accordance with the Operable Unit (OU) 1148 RCRA Facility Investigation (RFI) Work Plan. The work plan was approved on December 14, 1993 and Solid Waste Management Unit (SWMU) 54-021 (Aboveground Storage Tanks) was approved for no further action by the U.S. Environmental Protection Agency also in December 1993.

This work plan is a document that is covered by the 2005 Order on Consent and there has been correspondence, other submittals, and approvals for various aspects of the former OU 1148. Specifically, the soil sampling was conducted under the "Supplemental Investigation Work Plan for Sampling at Material Disposal Area (MDA) L, SWMU 54-006 and the Sampling and Analysis Plan for Impoundments B, C, and D at MDA L, SWMU 54-006 at TA-54," which was approved with modifications on November 13, 2006. The report on the implementation of this the work plan "Addendum to the Investigation Report for MDA L, SWMU 54-006, at TA-54," was submitted to NMED on May 31, 2007.

5. *TA-54 Area G # 1029 – this appears to be a container storage area. The database says it is in interim status, is operating, and is a "new unit." The database also references December 13, 2001 as an effective date. The January 25, 1991 MW Part A doesn't reference # 1029.*

Between the 1994 and 1998 Part As, 1029 converted to 1030, so now we have both units in the DB. Any explanation for the change?

LANL notified for "4 ventilated storage sheds" in the September 1993 Part A permit application and identified the proposed sheds by the anticipated structure numbers as "TA-54-1027, TA-54-1028, TA-54-1029, and TA-54-1041" in the September 1994 Part A permit application. The April 1998 Part A permit application identified the sheds by the actual structure numbers, which were "TA-54-1027, TA-54-1028, TA-54-1030, and TA-54-1041." This is consistent within the 1998 application for the list of units as well as the figures that are included in the application. There has never been a structure designated TA-54-1029; this discrepancy should have been explained within the summarized changes in Attachment 1 of the 1998 Part A permit application. Attachment 1 includes a reference to "TA-54-1027, TA-54-1028, TA-54-1029, and TA-54-1041," however; there is no discussion of the change in the assigned number that resulted in the replacement of 54-1029 with 54-1030.

5. *I'm looking for a (perhaps multiple) certification statement that Rooms 35, 36, 38 and 38A at TA-50 Building 1 were never used. The February 9, 2001 letter regarding revision of the TA-50 Part B states that the rooms are being withdrawn from the Part B, they were never used, and the certification would come as part of a Class 1 mod. I've searched the database for mods regarding TA-50 but can't find one addressing these rooms. Could you please help me?*

The process for withdrawal of these units started with a letter from LANL to NMED dated March 1, 2001, titled "Removal of Decon Operation Storage Areas at TA 50-1 from Haz Waste Permit" the process was concluded with a letter from NMED to LANL dated November 25, 2003, titled "Class 1 Permit Modification Approval - Removal of the Decon Operation Storage Areas at Technical Area (TA) 50-1 from the Los Alamos National Laboratory (LANL) Hazardous Waste Permit Rooms 35, 36, 38, and 38A." The certification of no use was included with the 2001 letter.

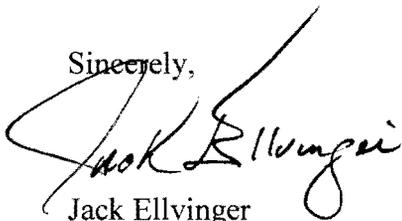
6. *Could you please help me understand the final disposition of TA-50 Building 37 Room 112? I find a LANL correspondence dated March 31, 1998 whose final paragraph implies the room stays operational after the withdrawal of the RAMROD from the permit. A NMED July 2, 1998 correspondence approves closure of the Controlled Air Incinerator, but the associated closure plan (cover letter dated September 10, 1997) doesn't reference room 112 (an admittedly brief review). So it appears that the RAMROD and CAI all go away at approximately the same time, but for room 112.*

The controlled air incinerator was located within room 112 and the closure of the actual incinerator was performed there. Room 112 was closed under the controlled air incinerator closure certification with the exception of the exhaust system, which was left in place for future use in the RAMROD project. RAMROD was to have a waste storage unit situated in room 112, but the permit modification to permit the storage unit was withdrawn when the project was cancelled. In the withdrawal of RAMROD, LANL said it would continue to seek a permit for storage in room 112 and included it in the 1999 and 2000 permit applications. Later, in the settlement for compliance order HWB-01-04, the parties agreed that LANL

would close the units at TA-50-37. A closure plan for the units was submitted with the TA-50 permit renewal application in July 2002, but was withdrawn June 17, 2003 so it could be updated. On March 24, 2004, NMED approved the closure plan based on a January 21, 2003 walk-down. A summary of that walk-down, sample locations, and sampling procedures are included in a letter to NMED dated February 3, 2003. This letter reiterates that room 112 was never operated under a permit or interim status as a storage unit for hazardous waste. The controlled air incinerator was approved for closure July 2, 1998, and the TA-50-37 exhaust system closure was approved by NMED in a letter dated November 15, 2004.

If you have any questions on this submittal or need more information, please contact Luciana Vigil-Holterman at (505) 665-3435.

Sincerely,



Jack Ellvinger
RCRA Team Leader
ENV-RCRA Group

Cy: John Kieling, NMED-HWB, Santa Fe, NM
Gene Turner, LASO-EO, A316
Michael B. Mallory, PADOPS, A102
Richard S. Watkins, ADESHQ, K491
Tori George, ENV-DO, J978
Ellen Louderbough, LC-LESH, A187
ENV-RCRA, File, K490
IRM-RMMSO, A150