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Governor

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**NEW MEXICO
ENVIRONMENT DEPARTMENT**



ENTERED

Hazardous Waste Bureau
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James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 21, 2019

Mr. Peter H. Carson
Waste Management Programs Group
PO Box 1663, MS M969
Los Alamos, New Mexico 87545

Emergency Permit #19-002

**SUBJECT: EMERGENCY AUTHORIZATION TO DESTROY UNSTABLE
HAZARDOUS WASTE
LOS ALAMOS NATIONAL LABORATORY, EPA ID# NM0890010515**

Dear Mr. Carson,

The New Mexico Environment Department (“NMED”) authorizes Los Alamos National Laboratory (“LANL”) Emergency Response team to destroy unstable hazardous waste that LANL determined poses an imminent and substantial health and safety risk. The waste covered by this authorization was identified by e-mail from LANL on May 21, 2019. The waste consists of the following:

- The unstable chemical Phenylmagnesium bromide Solution (100 ml container)
- The unstable chemical Lithium Aluminum Deuteride (100 ml container)
- The unstable chemical Lithium tri-tert-butoxy-aluminum hydride (100 ml container)
- The unstable chemical Lithium aluminum hydride (tetrahydrofuran) (100ml container)
- The unstable chemical Methylmagnesium Iodide Solution (100ml container)
- Two unstable chemicals of Sodium Borohydride Solution (100ml container)
- Lithium 9-BBN Hydride Solution (100ml container)
- Lithium Aluminum Hydride Solution (100ml container)
- Methylmagnesium Iodide Solution (100ml container)

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The unstable chemicals were found in a laboratory in Technical Area 35 Building 85. LANL's Emergency Management and Response personnel determined the safest path forward for treatment to be on-site (TA-35) through contained vessel detonation. NMED authorizes the treatment of this unstable hazardous waste in accordance with 20.4.1.900 NMAC.

Emergency destruction of waste materials is allowed when performed in accordance with 20.4.1.900 NMAC, incorporating 40 CFR § 270.1(c)(3), under an emergency permit issued by NMED in accordance with 20.4.1.900 NMAC incorporating 40 CFR § 270.61. While operating under this authorization, LANL must take all necessary safety precautions and comply with all applicable requirements of 40 CFR § 264, subparts C and D in accordance with 20.4.1.500 NMAC incorporating 40 CFR § 264.1(g)(8)(ii). This authorization is valid only through 5:00 p.m., May 21, 2019.

LANL must properly dispose of any hazardous residues that remain after the destruction. LANL must also submit a report to NMED detailing the specific activities conducted to render this waste inert under this emergency permit within four days after the emergency activity was completed, or no later than May 24, 2019.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

JEK:spc

cc: David Cobrain, NMED HWB
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