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M E M O R A N D U M

TO: Gini Nelson, HED OGC

FROM: C. Kelley Crossman, Supervisor
Hazardous Waste Program

DATE: May 16, 1989

SUBJECT: Los Alamos National Laboratory
Draft RCRA Permit

Enclosed for your review and comment is the draft RCRA permit for LANL. Much of it is boilerplate, some controversial and much site specific. You may wish to pay particular attention to the following sections:

I.D.3. (pg 13)

Possible controversy over auto extension while EID reviews. See 40 CFR 270.51.

I.D.5. (pg 13)

Possible controversy over use of "any" in reference to adverse effects.

I.D.8.e. (pg 14)

Recognition of security laws is innovative. Not previously used.

I.H.3. (pg 16)

Addition of definitions is innovative.

II.B.2. (pg 17)

Definition of off site wastes is innovative extension. Recognizes LANL peculiar geography and site.

II.E.2. (pg 18)

Facility release inspection is innovative. Possible controversy if tied to 40 CFR 264. Subpart F.

II.I.1. (pg 19)

Extension of contingency to hazardous materials possibly controversial. Based on premise that spilled materials become wastes.



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II.N. (pg 23)

Possible controversy over extent of applicability.

III.A.3. & III.A.4. (pg 25)

Possible deletion or controversy per application of Tracy's memo of 5/11/89.

III.H.2. (pg 27)

Addition of specific items may be innovative. Similar requirements are in following modules.

V.G. (pg37)

Reference to "applicable regulations" may be too generic to be enforceable.

A.5.3. (pg A-24)

This may be controversial. See LANL letter 5/11/89 and previous correspondence between EID & LANL.

Attch. C. (pg C-1)

Opening paragraph extends training to all LANL employees and contractors. May be controversial if LANL contends permit applies only to hazardous waste handlers.

Attch I

LANL will contend this is out of scope of permit and subject to the compliance order process under consideration at this time.