COMMENTS OF THE DEPARTMENT OF ENERGY AND THE REGENTS OF THE UNIVERSITY OF CALIFORNIA ON DRAFT PERMIT NUMBER 0890010515-1 TO OPERATE HAZARDOUS WASTE FACILITIES, BEFORE THE NEW MEXICO ENVIRONMENTAL IMPROVEMENT DIVISION-JULY 18, 1989.

The Department of Energy and the Regents of the University of California respectfully request the Environmental Improvement Division's (EID) consideration of the following comments regarding draft permit number 0890010515 relating to the operation of hazardous waste facilities at Los Alamos National Laboratory (LANL):

FACT SHEET

Although the Fact Sheet is not technically part of the permit, it contains a sentence which may cause some confusion and warrants clarification. The sentence is found in the paragraph titled "Description of the permit" and reads, "The controlled air incinerator may burn any waste capable of destruction by burning, except for a few prohibited wastes, including chlorinated phenols." Because of the structure of the sentence, it may appear that the burning of chlorinated phenols is prohibited. In fact, LANL's application has always included F027 and F028 waste types that will be incinerated and these are included in the draft permit.

MODULE II

Section II.C.3. (p.17).

The reference listed in this section is out of print and no longer available. LANL has obtained a copy of the American Society for Testing and Materials' version of this document and requests that the reference be changed to reflect this. The ASTM is substantially the same as the EPA document. The new reference is D-34 P 168, "Proposed Guide for Estimating the Incompatibility of Selected Hazardous Wastes Based on Binary Chemical Reactions."

Section II E.2.a. (p.18)

This section refers to surface water samples taken at locations in Table II-1 (p.52). Several of these locations are inappropriate for sampling for the following reasons:

a.) There is no perennial water at Canada del Buey or Water Canyon at Beta. Annual water samples may be impossible to obtain.

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b.) Acid Weir, Pueblo 2, and Pueblo 3 are all in the same canyon. None of these stations would detect the results of any current activities (post 1980) from Laboratory operations. They would possibly detect activities by the town/county of Los Alamos, as well as past (pre-1980) Laboratory activities. Sampling and analysis at these stations is already addresssed in EPA's HSWA permit (Module VIII) on page 7 under the section entitled "Monitoring of Surface and Ground Water" and it is therefore unnecessary and duplicative to require additional sampling in this section of the permit.

Section II.E.2.c.

Analysis of variance to compare data from up-gradient and down-gradient stations is inappropriate and doesn't make sense under these circumstances. None of the station pairs reflect any current laboratory activity and thus such analysis is inappropriately included in the operating permit. Up-gradient and down-gradient stations exist at the two Frijoles Canyon Stations but are not impacted by run-off from Laboratory operations. A like situation exists, as explained above, for the Acid Weir/Pueblo Canyon complex.

Section II.K.1.g. (p.21)

The requirement that the Permittee must maintain "sufficient" records and documentation to demonstrate compliance is vague and creates substantial uncertainty as to what records are required to meet this "sufficiency"_standard. The draft permit contains many detailed and specific requirements with regard to recordkeeping and documentation. If these records are kept correctly and accurately, LANL assumes that they will meet the requirement of sufficient documentation. If documentation in addition to that already set forth in the draft permit will be required to meet the sufficiency standard LANL requests that the permit include a specific description of the nature of such documentation so that it can be on notice as to the requirements. If, on the other hand, the recordkeeping requirements already in the permit are considered sufficient to document compliance, LANL requests that the first sentence of paragraph g. be deleted. In the alternative, LANL requests that the following additional sentence be added after the first sentence in the existing paragraph g.:

"For purposes of this paragraph, records and documents which are required to be maintained by this permit shall constitute sufficient documentation to demonstrate compliance."

Section II.K.1.h. (p. 21)

The requirement in this paragraph that automatically extends the retention period for "all records required by this permit" during the course of an unresolved enforcement action appears to be unnecessarily overbroad. For example, an enforcement action involving monitoring records at a particular unit should not require the retention of inspection records at another, unrelated unit. LANL requests that this paragraph be amended to limit the automatic extension of the period to all records which are relevant to the enforcement action. This will avoid unnecessary and burdensome retention of irrelevant records.

MODULE III

Section III. A.1.c. and e. (p.24)

"Figure III-1" in each of these paragraphs should be "Figure 6".

Section III A.2.b.c. and d. (p. 24 and 25)

"Figure III-2" in each of these paragraphs should be "Figure-4". Also, the nomenclature of the units doesn't match that on Figure 4.

Section III H.3. (p. 28)

The inspections referred to in this section are performed weekly. Therefore "quarterly" should be changed to "weekly".

MODULE IV

Section IV.D.1.c. (p.30)

LANL requests that this section explicitly clarify that effluents from this unit may qualify for the exclusions set forth in HWMR-5 261.3(a)(2)(iii) and (iv.) and therefore that some residues from the unit will not be defined as hazardous wastes.

Section IV.E.3. (p.31)

The inspections referred to in this section are performed weekly. Therefore "quarterly" should be changed to "weekly".

MODULE VII

Section VII A. 2. (p.43)

LANL is subject to and must comply with state and federal air standards and regulations under the Federal Clean Air Act and the New Mexico Air Quality Control Act. There is no authority, however, for EID to include compliance with such requirements as part of this hazardous waste permit. This provision could unfairly subject LANL to double penalties under both the air Acts and the hazardous waste regulations.

MODULE VIII

Section A.4. (p.1)

This section requires notice within 24 hours of any release from a solid waste management unit. Release is broadly defined and by its terms includes any quantity, even de minimus amounts with no potential for any significant impact on the environment or human health. An inordinate amount of time and effort may be required to report even trivial amounts. LANL requests that this definition be further refined to include some criteria for types and quantities of releases which must be reported.

Section B.4. (p.2)

This section appears to be mooted by the addition of the new sections F. and G. which also deal with notification requirements for discovery of, and releases from, newly-identified solid waste management units. Section B.4 contains provisions which directly conflict with Sections F. and G. and LANL requests that it be deleted.

Section B. Perched Zone Monitoring (p.5)

This section requires the installation of the monitoring wells to be completed within 90 days of the effective date of the permit. LANL is informed that the permit will likely be issued in November. Although LANL will begin installation of the wells this fall, during the winter months, the canyons where the wells will be installed are largely inaccessible due to snowfall and winter conditions. Winter conditions are followed by spring runoff, and if there is significant snowfall, the canyons may not be accessible until May. The 90-day completion date is therefore unrealistic and LANL requests that it be changed to 270 days from the effective date of the permit.

The last paragraph, second sentence should read, "238 Pu, and 239Pu, 240 Pu" rather than "238, 240 Pu."

Section B. Monitoring of Surface and Groundwater (p.7)

LANL requests that the time period for submitting the summary describing the ongoing monitoring program, including sampling points, media, and constituents analyzed for be changed from 90 to 120 days from the effective date of the permit. The LANL Environmental Surveillance Program is extensive and complex and a thorough summary will take some time to compile.

Section B. Vertical Extent of Saturation (p.7A)

The last two sentences of this paragraph seem to require that all core material shall be analyzed for all constituents. LANL requests that this section be revised to allow for the exercise of professional judgement in determining the number of samples and subsequent constituent analysis during the investigation.

Section B. Identification and Summary of Previous Studies (p.7A)

LANL requests that the time period for submitting the reference list be changed from 120 to 180 days in order to insure adequate time to compile a thorough and accurate list. Additionally, LANL suggests that the intent of the section would be clearer if it was revised as follows:

> " Within 180 days of the effective date of this permit, the permittee shall develop and submit to the Administrative Authority, a reference listing of all known geologic, hydrogeologic, and all environmental studies previously performed at and/or by the facility relevant to potential contamination or migration of contamination from SWMUs, with a summary of the scope of the study and significant findings thereof."

Section D. Corrective Action for Continuing Releases (p.9)

The second paragraph on this page discusses the consequences of failure to comply with plans and schedules and references 40 CFR 270.41 for guidance on modifications. It is not clear how the permit modification process will apply to LANL's annual update of the Installation RI/FS Work Plan which must be approved by the Administrative Authority.

In the fourth paragraph on page 9, LANL requests that the following sentence be inserted after the sentence "The ER Program strategy for dealing with the large number of tasks is to prepare a single installation-wide work plan and task-specific RI/FS documents for each task":

"Depending on site-specific findings during the Corrective Action Plan process, a site within a task may be removed by a

determination that no further action is necessary. A site may also be assigned, to a different task, for example, by implementing interim corrective measures. Either of these actions may be taken by the permittee with the approval of the Administrative Authority."

Section H. (3) (p.14)

In the first paragraph, after the sentence "The scope of the RFI...from solid waste managment units," LANL requests that the following be inserted:

"As appropriate and with the approval of the Administrative Authority, the RFI Work Plan will be developed and implemented using the phased approach as described in EPA Corrective Action Plan guidance documents. Information obtained during the preceding phase will be incorporated in the modified RFI Work Plan for the subsequent phase. The draft RFI Report shall be prepared when all phases of the RFI have been completed to the satisfaction of the Administrative Authority."

More than one phase will be required in most cases at LANL during the RCRA Facility Investigation to provide sufficient information for the Corrective Measures Study.

Section H. (3) (p.14-19)

Some of the SWMUs identified in this section already have closure plans submitted to the State of New Mexico or characterization information has been requested by the State of New Mexico. Based on the characterization results, a determination will be made by LANL and the state with regard to appropriate further action. A list of these SWMUs is provided below. LANL requests that these SWMUs be deleted from the permit in order to avoid unnecessary and costly duplication of effort.

0-001	18-003
0-012	21-003
3-001(a-c)	21-011
3-001(m)	22-005
3-001(p)	22-006
3-001(r)	22-010
3-013	33-002
3-014	33-004
3-020	33-012(a)
3-028	33-013
3-033	35-004(e)
3-037	35-009(f-h)
3-039	35-010
6-001	36-002

6-006	36-003
9-004	36-005
9-005	39-002(a)
9-007	39-004(c,d)
9-009	39-006(b)
11-002	40-001(b,c)
11-004	40-005
11-005	41-002
11-009	46-002
14-004(b)	46-003(g)
14-005	48-002
14-007	48-003(a,b)
15-003	50-001
15-006	50-002
15-009	52-002
16-003(a-v)	53-001(a)
16-003(a-f)	53-001(b)
16-006	53-002
16-010(a-g)	53-006(b-e)
16-12	53-007(a,b)
	54-001(a)
	54-001(c)
	54-003
	54-005
	54-007(a-c)
	39-006(b)

Section I.1. (p.21)

This section is incomplete and appears to be superceded by later sections L., M., N., O., P., and Q of the permit. LANL requests that it be dropped.

Sections J. and K. (p.22-23)

It appears that Sections J. and K. might be most logically placed after Section G., Notification Requirements for Newly Discovered Releases at SWMUs. Approval of the annually updated Installation RI/FS Work Plan by the Administrative Authority as required by Section H might also serve as a mechanism for the Administrative Authority to reach a determination of no further action for specific sites.

Section L (p.23-24)

Task/site-specific bench-scale and pilot-scale studies are included in Section N, Corrective Measures Study Final Report, but not as a requirement for the corrective action measures study plan. The permit should clarify review, concurrence and reporting requirements for bench and pilot studies.

Section P.2. (p.27) and Task II (p.30)

Both of these provisions contain requirements for financial assurance. Current RCRA regulations at Section 264.140(c) state that the States and the Federal government are exempt from the financial requirements. For similar policy reasons, LANL presumes that when the proposed Subpart S regulations are issued, they will contain a similar exemption. LANL therefore requests that these provisions be deleted from the draft permit.

Section Q., Summary, (p.29-30)

Several changes are needed to make the facility submission summary schedule consistent with the text and LANL's requested changes.

1. Under notification of newly-identified SWMUs and newly-discovered releases the word "written" should be added.

2. Task I deliverables are due 180 days after issuance rather than 90 days.

3.The SWMU Assessment for newly-identified sites is due 90 days after receipt of a request is consistent with Section F.3, p.10, however it is inconsistent with Section B.4.(b) which contains a requirement of 45 days. LANL requests that Section B.4.(b) be changed to 90 days.

4. The SWMU Assessment Report is due 60 days after completion of the SWMU Assessment Plan, however, Section F.5. indicates that it is due in 25 days. The 60 day period is preferable.

5. The requirement that the Revised RFI Work Plan be submitted within 30 days of receipt of the NOD applies to the Installation Work Plan and the Task/Site Work Plans.

6. The RFI Report and Summary Report are due 60 calendar days after completion of the RFI. This requirement is not specified in the text.

7. The Interim Measures Plan is required 30 days after notification. There is no plan requirement specified in the text.

8. The requirement to provide a CMS Plan 90 days from notification to perform CMS is consistent with page 23, Section L., Corrective Action Measures Study Plan, but not with page 21, Section 1., Correction Measures Study, that the draft report be submitted within 90 days. The 90-day requirement for the plan is more reasonable than the 90-day requirement for the report.

Section R. Task I.A.1.c. (p.33)

The request that a the report include a "Topography (with contour interval of five (5) or ten (10) feet and a scale of 1 inch-100 feet), waterways, all wetlands, floodplains, water features, drainage patterns"; is a significant task in terms of time and expense for a facility the size of LANL. LANL covers 43 square miles and is located on the Pajarito Plateau. The plateau consists of a series of finger-like mesas separated by deep eastwest oriented canyons cut by intermittent streams. The mesa tops range in elevation from approximately 7800 feet on the flank of the Jemez Mountains to about 6200 feet at their eastern termination above the Rio Grande Valley. It is unreasonable and impracticable to require this information to be submitted within 180 days from the issuance of a permit. LANL believes that one year from the effective date is a more realistic timeframe to compile this information and requests that the due date be changed to allow one year for preparation of the maps.

LANL also requests that the features required to be included in the topography be more clearly defined, including a definition of the geographic area that needs to be mapped and definitions of floodplains and wetlands. Wherever the term wetlands appears in MODULE VIII it should be further refined to mean "natural wetlands." Additionally, the requirement that the maps be to a scale of 1 inch-100ft. will result in preparing a large number of maps (approximately 400 standard-sized sheets to cover the entire facility), which currently do not exist. Some of the features requested exist on maps of different scales (e.g., 1 inch-500 feet), therefore, some flexibility should be allowed relative to map scale at the facility level. Detailed site-specific maps will be provided on a task-by-task basis displaying these features as appropriate during the RFI/CMS process.

Section R. Task I.A.1.h. (p.33)

The requirement that the Preliminary Report include "A detailed geologic map overlain on contour map (contour interval at least 10 feet) with a scale of 1 inch = 400 feet depicting all units of the Tshirege member of the Bandelier Tuff be prepared" and that, "Maps must depict all springs, faults, gravel deposits, alluvium, and pumice deposits." is not reasonable. Depicting all units of the Tshirege member in Bandelier Tuff as requested will in many cases result in useless maps given the LANL topography. Additionally, it is not clear how development of such a costly map will benefit evaluation of the SWMUs. To the extent that this information is needed on a site-specific basis, it will be provided in the appropriate site-specific documents during the

RFI/CMS process. However, if the Administrative Authority believes that the LANL-wide map is absolutely necessary, a due date of 180 days from the effective date of the permit is not reasonable. A due date of 360 days from issuance of the permit is more realistic. The features requested (e.g. springs and alluvium) should also be defined in the permit, including minimum size of those features which require mapping.

Section R. Task VI.C.

Previously, in Section N., mention is made of pilot studies, however, this Section R. omits them. Additionally, the term "laboratory studies" is not defined.

Overall, MODULE VIII requires LANL to submit a great many documents to EPA for concurrence within short time frames. LANL requests that EPA make available sufficient staff to review and approve these documents in a timely manner.

FIGURES

A current version of Figure 4, regarding locations of units at TA-50 is included in the draft permit after the Modules. However, outdated versions of Figure 4 are included in several places in Attachment E and need to be replaced with the updated Figure 4. The following pages reflected the outdated version of the figure and need to be replaced with the current figure 4:

E. 3.1
E. 4.1
E. 5.1
E. 6.1
E. 7.1

Additionally, there appears to be an unnecessary and duplicative copy of Figure 4 after Figure 6 following the Modules. Attached (as Exhibit 1) to these comments is an updated version of Figure 6 relating to the location of waste management units at TA-54 Area L. The new Figure 6 should replace the outdated one found after the Modules and also the outdated ones found at:

E.3.2
E 7.2
E.8.1
E.9.1

ATTACHMENT A

Section A.5

In general, all of section A.5. is highly redundant with the requirements already set forth in A.4. Section A.4 already describes the verification analysis that will be performed in each category and subcategory of chemicals. This obviates the need for Section A.5.2. with regard to verification of routine wastes.

The discussion of discharges to the Industrial Wastewater System found at A.5.3. should replace the discussion of the same item found at Section A.4. relating to waste residues.

Section A.5.1.

The requirement that one in each two hundred knowledge-of-process determinations be verified by quantitative chemical analysis does not make sense in the context of LANL's waste operations and is not necessary to protect public or employee health and safety or the environment. For the reasons set forth below, LANL requests that Section A.5.1 be deleted from the permit.

At the present time, knowledge of process determinations can be divided into two categories at the Laboratory. The wastes are either routine wastes or labpack wastes. Labpack waste is defined as waste in original chemical containers of less than five-gallon size. Routine wastes are already subject to the annual verification program. Additionally, every new batch or container of routine waste must be reanalyzed for key parameters before treatment. Labpack waste by definition contains information on its original label and has additional information available on the material safety data sheets. If for some reason, this information is not available, the container is handled as an unknown.

As the attached letters (Exhibits 2 and 2A) from two reputable hazardous waste handlers demonstrate, it is generally accepted in the field that labels on containers and/or Materials Safety Data Sheets (MSDS) data is sufficient information for treating and disposing of labpack wastes. Disposal companies have indicated to LANL that they are unaware of any other jurisdiction in the country which has required the analyses contained in Section A.5.1., nor do these companies' own permits for treatment and disposal require these analyses to be performed. If such analyses are not required for incineration and other treatments, it makes little sense to require it for simply storing wastes.

Verification of labpack wastes also presents another problem in that there is no standardized protocol for proving that no contaminants are present when it is not known what chemicals one is looking for. Chemists can perform tests to determine that a specific compound is not present. But without analyzing for the entire universe of chemicals, a chemist cannot determine that a compound is free of contamination. Another problem encountered is that there are different grades of chemical purity. For example, nitric acid is available in purites ranging from technical grade to chromatography grade. This raises the need to make a determination on the issue of how pure is pure.

In summary, performing verification analysis on labpack waste serves little purpose, is costly and time consuming, and does not provide significant additional protection to public health or the environment. In fact, the requirement increases risk to Lab employees by increasing chemical exposure potential while obtaining little new information.

ATTACHMENT B

Section B.1.3. (p. B-3)

In line 5, in order to be consistent with other sections, insert "Figures B-1 and B-2" after "inspection log sheet."

Section B.2.3. (p.B-4)

Beginning on line 2, "Figures B-7 through B-9" should be "Figures B-5 and B-6."

Section B.3.4. (p.B-6)

On line 2, "Figures B-3 through B-6 and B-12 through B-18 should be "Figures B-7 and B-8."

ATTACHMENT C

Introductory paragraph (p.C-1)

At line 8 after "at the facility." insert "and handle hazardous wastes." Not all LANL or contractor employees handle hazardous waste and, as such, are not required to undergo training. A similar change should be made at line 9 after "all personnel" insert "handling hazardous waste."

Section C.2.1 (p. C-2)

At line 4 after "All employees" insert "involved with hazardous waste handling," for the reason set out above.

RCRA Job Description Table

Please delete the name of A. Torres, Chemical Waste Coordinator for WX-3, from the table.

Figure C-1, Section II.C.

First Aid training and recertification is given in accordance with Red Cross policy, which requires recertification every three years. Please change this section to read "First Aid (IC) introductory, triennial recertification."

ATTACHMENT D

Section D.1.2 (p.D-1)

On the first line of the second paragraph, "Table D-2 should be "Table D-1."

Section D.2.

In order to accurately reflect the current organizational structure and title changes, LANL requests that the following new paragraph be inserted:

D.2.1.11 Operational Management Group I (Emergency Management)

This group provides a 24-hour duty officer, called the Laboratory Emergency Duty Officer (LEDO), to respond to all credible emergencies, including hazardous materials releases. The LEDO is the On-Scene Commander (OSC) for all emergencies, including releases of hazardous materials when an On-Scene Control Group (OSCG) is formed. Emergency Management maintains the Emergency Operations Center (EOC) in operational ready status should the center be required.

Additionally, throughout Attachment D wherever the term "EPODO" appears, it should be replaced with the term "LEDO." Attached (as Exhibit 3) to these comments is a marked-up copy of the draft Attachment D which shows where these changes need to be made.

ATTACHMENT E

Throughout this attachment, as listed below, reference is made to sending wastes, residues, filters, mops, rags, etc., off-site for disposal. LANL would like the option of treating or providing further treatment of such items on-site. LANL suggests that the term "treatment and/or disposal at a permitted facility" be substituted for the term "off-site disposal" in the following sections:

a) Page E.2-2, Paragraph 1, last sentence.
b) Page E.2-2, Paragraph 2, last sentence.
c) Page E.2-2, Paragraph 3, next to last sentence.
d) Page E.2-2, Paragraph 2, last sentence.
e) Page E.3-2, First sentence
f) Page E.2-3
g) Page E.3-2. Paragraph 2, third and forth sentences
h) Page E.3-2, Paragraph 5 eighth and ninth sentences.
i) Page E.4-2, Paragraph 4, forth and fifth sentences
j) Page E.5-2, Paragraph 1, second sentence.
k) Page E.5-2, Paragraph 2, forth and fifth sentences.
l) Page E.6-2, Paragraph 1, line 5.
m) Page E.6-2, Paragraph 2, Last sentences.
n) Page E.7-2, Paragraph 2, Third sentence.
o) Page E.8-2, Paragraph 2, Third sentence.
p) Page E.8-2, Paragraph 3, second and seventh sentences
q) Page E.8-3, Paragraph 2, Second sentence.
r) Page E.9-1, Paragraph 6, First sentence.
s) Page E.9-2, Paragraph 1, First sentence.
t) Page E.9-2, Paragraph 4, Last sentence.

Section E.1.6. (p.E.1.6)

To be consistent with Section E.1.7. this section should be amended to require that field blank samples be taken as well.

Section E.2.3.2. (p.E.2-2 and 2-3)

Reference is made throughout this section to the disposal of decontamination solutions containing hazardous constituents. LANL requests that this section be clarified to indicate that if the hazardous constituents meet the exclusions found in HWMR-5, Sections 261.3(a)(2)(iii) and 261.3(a)(2)(iv), the liquid may be disposed of as a non-hazardous waste.

Table E.2.3. (p.E.2-12)

The text explaining closure activities requires sampling of washwater prior to decontamination activities, but such a requirement is not listed in this table. Additionally, the text of the permit requires protective clothing washwater be analyzed for hazardous constituents but this requirement is also not

included in the summary table. Most decontamination activities will require washing protective clothing and analyzing the liquid prior to disposal, however, some of the "Sampling Summary" sections have not included this. All closure plans should be consistent.

Section E.3.3.2. (p.3-2)

LANL believes that the first sentence of paragraph 4 should be clarified to state that it is the "surface" rather than the "units" which must be sampled differently depending upon whether the surface is pervious or impervious.

Table E.4.1. (p.4-9)

LANL notes there are inconsistencies and omissions between this table and the actual activities required on p.E.4-2, paragraph 2.

Section E.8.5.3 (p.E.8-2)

The third paragraph of this section requires that for demonstration of final decontamination, soil samples will be analyzed for the parameters in Table E.8.2. This is inconsistent with Table E.8.3 on page E.8-12 which requires that final decontamination samples be analyzed for Appendix IX constituents. LANL requests clarification on which parameters apply.

Section E.4.1. (p.E.4.1)

The maximum inventory of three cubic meters (800 gallons) stored or treated at any one time in the TA-50 incinerator was calculated based on the volume contained in containers and feed tanks. If it is necessary to also include the wastes contained in piping and scrubwater tanks, the figure should be changed to eight cubic meters (2200) gallons).

Section E.9.4. (p.E.9-2)

LANL requests that this paragraph be clarified to indicate when sampling is required both within and outside the containment area.

ATTACHMENT G

LANL requests that the following changes be made to this attachment in order to make it consistent with the changes requested to the Part A application. These changes are requested because after reevaluating the wastes, LANL determined that the

following wastes may be incinerated within the conditions of the permit:

P043	Add T03
P092	Add T03
U005	Add T03
U006	Add T03
U092	Add T03
U123	Add T03
U136	Add T03
U234	Add T03

Additionally, LANL requests that the following waste code amounts and handling codes be added to attachment G:

U248	1000	S01, T03
U249	1000	S01
U326	1000	S01, T03
U353	1000	S01, T03
U359	1000	S01, T03

Based on additional analysis of generation data, LANL also requests the following changes to the amounts of material under the "D" designation:

D003	Change amount to 20,000.
D010	Change amount to 7,500.

ATTACHMENT I

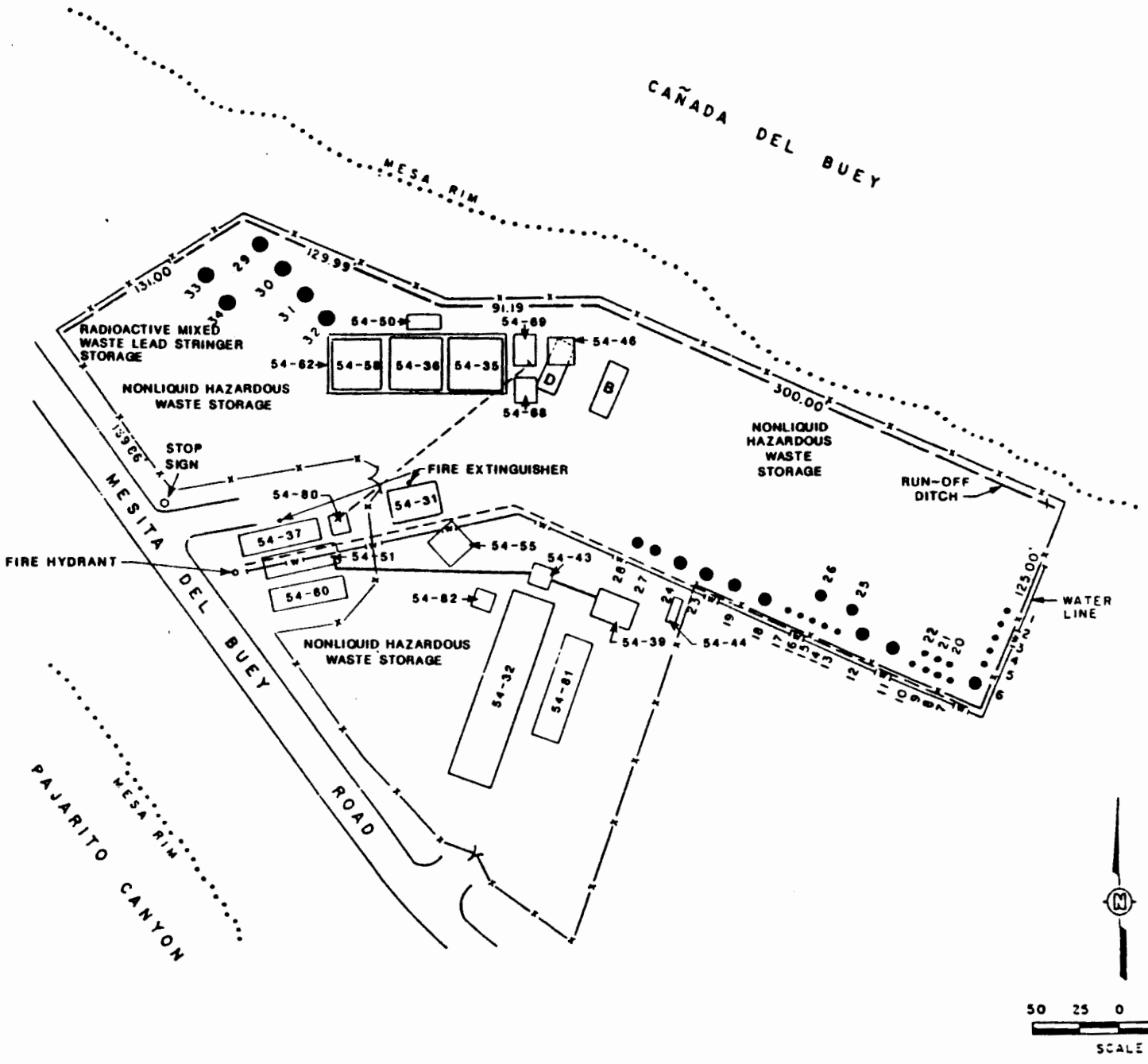
Attachment I is a solid waste stream characterization. EID has no authority to require this characterization nor to impose a schedule for doing so. The HWMR regulations at 262.11 require generators to determine if their wastes are hazardous. There is no requirement for an over-all solid waste stream characterization. As presently drafted, the additional data submittal would require a tremendous amount of time and personnel to verify such waste streams as cafeteria trash and office waste. Such requirements are totally outside the purview of this permit.

Furthermore, the determination of whether wastes are hazardous is a generator requirement, enforcible under Part 262 and is improperly included in the permit. Permits ought to deal exclusively with the operational requirements for treatment, storage, and disposal facilities. Additionally, it is highly impractical to include the plan in the permit because changes to the plan or additional characterization may require permit modification. Waste stream analysis is an ongoing responsibility and must adapt to the changing circumstances at LANL.

Nevertheless, LANL believes that it would be useful to better define waste streams in a more comprehensive manner. LANL therefore proposes to be bound by a solid waste stream characterization plan, seperate and apart from the permit. A necessary component of this plan would be to require generators to characterize, via a waste profile sheet, all wastes that could potentially contain a hazardous waste or constituent. This would eliminate the need for annual verification as required in Section II.C.4. because verification would be obtained continually. The proposed plan will be submitted under separate cover.

ATTACHMENT J

Attachment J, in its present form, covers matters which are outside the jurisdiction of EID and should be deleted from the permit. Section 74-4-3H NMSA 1978 states that source, special nuclear or by-product material as defined in the Atomic Energy Act are not solid wastes and therefore cannot be hazardous wastes. Such materials may not be regulated by EID under the Hazardous Waste Act. Throughout Attachment J there are references to procedures, equipment, and personnel which are specifically and solely related to the proper control and management of radioactive materials. Clearly, these matters are improperly included in the hazardous waste permit and should be deleted. In lieu of the present Attachment J, the Laboratory has prepared a substitute Attachment (Exhibit 4) which addresses incinerator operational safety with regard to hazardous wastes. LANL requests that this document be substituted for Attachment J in the draft permit.



LEGEND

MATERIAL DISPOSAL UNITS

54-31 PACKAGING BUILDING
54-32 ROOFED WASTE STORAGE PAD
54-35 TREATMENT PAD
54-36 SAMPLING PAD
54-37 OFFICE TRAILER
54-39 PCB BUILDING
54-43 SEPTIC HOLDING TANK
54-44 PROPANE TANK
54-46 EQUIPMENT STORAGE BUILDING
54-50 EQUIPMENT STORAGE BUILDING
54-51 OFFICE TRAILER
54-55 SAMPLE PREP LAB BUILDING
54-58 TRANSPORT PAD
54-60 OFFICE TRAILER
54-62 CANOPY OVER MD-35,MD-36,MD-58
54-68 MODULAR STORAGE BUILDING
54-69 MODULAR STORAGE BUILDIN
54-80 SEPTIC HOLDING TANK
54-81 PCB OIL TANK STORAGE
54-82 DRUM CRUSHER
B SURFACE IMPOUNDMENT
D SURFACE IMPOUNDMENT

● LOCATION OF AREA L INACTIVE SHAFTS

FIGURE 6

TA-54 AREA L
WASTE MANAGEMENT UN

PREPARED FOR

LOS ALAMOS
NATIONAL LABORATORY
LOS ALAMOS, NEW MEXI

IT ... Creating a Safer Tc

Exhibit 1