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**Department of Energy**  
Washington, DC 20585

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DEPUTY DIRECTORS OFFICE

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Dr. Kirkland L. Jones, Ph.D.  
Deputy Director  
Environmental Improvement Division  
New Mexico Health and Environment Department  
Harold Runnels Building  
1190 St. Francis Drive  
Santa Fe, New Mexico 87503

Dear Dr. Jones:

Thank you for your recent inquiry on the current and planned operations of the Controlled Air Incinerator (CAI) at the Los Alamos National Laboratory (LANL) in New Mexico. Your letter directs questions to the types of waste that will be incinerated in the CAI and the status of any associated National Environmental Policy Act (NEPA) documentation. Enclosed is a factsheet which provides pertinent information about the CAI.

LANL does intend to incinerate transuranic (TRU), hazardous, and mixed waste in the CAI in accordance with all applicable regulations and permits. Therefore, the statements in the Resource Conservation and Recovery Act (RCRA) Part B Permit are correct and have been certified by Department officials.

Secondly, there have not been any NEPA documents completed by the Department for the operations of the CAI since 1980. An internal predecisional draft Environment Assessment was prepared analyzing the impacts of incinerating TRU waste: "Environmental Assessment for Transuranic (TRU) Work-Off Plan, Los Alamos National Laboratory." This document included a discussion of using the CAI for TRU waste. It did not include assessment of using the CAI for mixed or hazardous waste. The Department has recently decided to prepare more detailed NEPA documentation covering changes in the CAI's mode and rate of operation. The Environmental Protection Agency, New Mexico Environmental Improvement Division, and all interested parties will be included in the NEPA process as appropriate. The Department is in the early stages of planning such documentation.

The Department shares in your concern that complete and accurate information be submitted to regulatory officials concerning the operations conducted by the Department. We regret any confusion resulting from our letter to Senator Bingaman and the apparent conflicts between the text of that letter and the RCRA Part B Permit on the operations of CAI. Further information



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can be obtained from the Department of Energy, Los Alamos Area Office, Jack B. Tillman, Area Manager, at (505) 667-5105. However, do not hesitate to contact my office as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Tuck", written over a horizontal line.

John C. Tuck  
Under Secretary

Enclosure:  
Factsheet

## Los Alamos National Laboratory (LANL) Controlled Air Incinerator (CAI)

### Status

- Presently, off-line for major maintenance. Components being replaced would permit changing operation from a research and development mode to use for treatment of laboratory waste. Current upgrades were oriented solely to reduce complexity of operation and to increase safety and reliability of the system. The only corrosion damaged parts that were replaced were the induced draft blowers downstream of the off-gas pollution control equipment. These blowers would require routine maintenance and/or replacement from normal use. Materials of construction were upgraded (off-gas section) to improve reliability; system upgrades for performance improvements occurred as an adjunct to reliability improvements (not as a consequence of any failure of the system to perform adequately).
- The CAI Resource Conservation and Recovery Act (RCRA) Operating Permit was received in November 1989. However, the permit has been appealed by the Laboratory. No action has yet been taken by the Environmental Improvement Board.

### Capability

- Toxic Substances Control Act (TSCA) Permit (1984) is for the incineration of Polychlorinated Biphenyl (PCB) liquids at a rate not to exceed 26.5 Kilograms/hour.
- The RCRA Permit allows incineration of materials with a heat of combustion greater than or equal to carbon tetrachloride.
- No physical constraints on liquids; solids in containers presenting a larger face than one foot by one foot would be difficult to accommodate.
- Mixed waste would be incinerated at the CAI in accordance with all proper permits from the state. An application for a permit to incinerate mixed waste will be submitted once the state receives the authority to regulate such waste.
- Upper bound on capacity for incineration of liquid is 1.5 million BTU/hour and for solid waste no more than 125 lbs./hour.

### Constraints

- RCRA permit does not allow acceptance of wastes from offsite. Recent public hearings for the Part B Permit generated much controversy, particularly, concerning the CAI. The controversy was based on general objections to incineration as a treatment method.

- The current New Mexico (NM) moratorium on incinerators excludes RCRA permitted facilities and, thus, does not include the CAI. A rider to the House Defense Appropriation Bill added by Congressman Bill Richardson, NM, was passed which prohibits incineration of radioactive waste by LANL.
- The site-wide environmental impact statement (EIS) issued in December 1979 does not cover acceptance of offsite waste or the incineration of hazardous and mixed waste.