



Department of Energy
 Field Office, Albuquerque
 Los Alamos Area Office
 Los Alamos, New Mexico 87544

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 OFFICE OF THE SECRETARY
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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Dr. Allyn M. Davis, Director
 Hazardous Waste Management Division (6H)
 U. S. Environmental Protection Agency,
 Region 6
 1445 Ross Avenue, Suite 1200
 Dallas, TX 75202-2733

Dear Dr. Davis:

We have received your letter, dated October 9, 1992, of approval and conditions allowing the Controlled-Air Incinerator (CAI) at the Los Alamos National Laboratory (LANL) to dispose of liquid polychlorinated biphenyls (PCBs) generated by the Department of Energy (DOE). There are, however, some items that we would like to modify or clarify and these are stated below. Information requested by the Environmental Protection Agency (EPA) is provided in Section III below, or will be submitted within the required due dates.

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I. MODIFICATIONS REQUESTED

A. Conditions II.B and IV.O

Approval condition II.B requires prior notification and written approval before PCBs are disposed of in a modified or expanded facility. Approval condition IV.O requires notification and approval before any physical or operational changes are made that could alter emissions of particulates, HCl, PCBs, metals, or chlorinated organics.

The CAI is presently undergoing extensive modifications to improve its operational control, reliability, and upgrade the materials of construction. The modifications will not: increase the unit's capacity, affect the required PCB destruction efficiency, increase emissions or alter the nature of the emissions. The modifications have been ongoing since 1987 and will be completed before the CAI becomes operational in 1994. The Resource Conservation and Recovery Act (RCRA) Part B ←
 submittal for mixed waste includes most, but not all, of the completed and planned modifications to the CAI. For

2



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FEB 16 1993

example, several years ago the fiber-reinforced plastic wet off-gas treatment system was replaced with high-nickel alloy steel components and this modification was included in the RCRA Part B submittal for hazardous waste. We anticipate that other similar modifications may be necessary as a result of DOE Orders, LANL policy, etc., but these too will be included in the RCRA Part B submittal. None of the modifications contemplated will increase the capacity or affect the CAI's destruction efficiency.

We are therefore requesting that Condition II.B be changed to "Any modification to the CAI or related appurtenances that could increase the emissions particulates, HCl, PCBs, metals, or chlorinated organics or increase the waste incineration capacity shall require prior notification and written approval from the EPA, Region 6, RCRA Permits Branch before PCBs can be disposed in the modified unit. DOE will notify Region 6, 30 days prior to startup, about the status of all the modifications discussed in the RCRA Part B submittal."

B. Condition II.C

Approval condition II.C authorizes LANL to dispose of PCB liquid or solid waste generated by DOE. Your letter to me states that the "approval applies to the liquid injection controlled air incinerator (CAI) for PCB liquids generated by DOE at LANL." To eliminate these inconsistencies, we request that condition II.C be modified to read:

LANL is authorized to dispose of Department of Energy (DOE) generated PCB liquid waste.

C. Condition III.B.12

Approval condition III.B.12 requires LANL to comply with its CAI PCB Operating Manual. LANL has one operating manual for the CAI which includes specific procedures for PCB waste disposal. The manual's various procedures are being revised and the revisions are expanding the

FEB 16 1993

manual from one binder to five. We request that condition III.B.12 be modified to read:

LANL shall comply with its Controlled Air Incinerator (CAI) PCB Operating Manual. LANL will include detailed and PCB-specific handling and disposal procedures within its CAI Operating Manual. The procedures shall be updated whenever changes are made to the standard PCB operating procedures, and a revised copy of the updated procedures shall be submitted to the RCRA Permits Branch, EPA, Region 6, within five (5) days of the approval of the revisions.

D. Condition IV.H

Condition IV.H requires that all documentation be maintained at one location in the facility. Keeping the operating log, current documentation and archival information in the same location (control room) would be impractical because we foresee such information occupying unnecessary space and eventually getting in the way of orderly and focused operational needs. We prefer to maintain the operating log in the control room and the current documentation plus the archival information in our document room upstairs in the same building. We request that condition IV.H be modified to read:

LANL shall comply with all monitoring and record keeping requirements of 40 CFR Part 761.70(c) and 761.180. All PCB incineration records, documents, and reports shall be maintained in the same building of the incineration facility, and shall be made available for inspection by authorized EPA representatives. All records required by 40 CFR 761.180 and this approval shall be written in ink or typed. Any modification or correction of the records must be initialed and dated by the supervisor in charge.

E. Condition IV.M

Approval condition IV.M requires LANL to maintain an adequately trained on-site inspector to direct emergency procedures which could result from fires, explosions, or releases of PCB-containing wastes at the facility and to submit the name of the individual to EPA, Region 6.

LANL has a very comprehensive Emergency Response Plan and Implementing Procedures, and an Emergency Management Office (EMO) which is staffed around the clock the whole year through. EMO is responsible for the administration

FEB 16 1993

of emergency preparedness at LANL. It provides emergency response coordination for emergencies, maintains the Emergency Operations Center, and develops and directs emergency response training and exercises for LANL. EMO also has operational oversight responsibility for the fire department operations. LANL's Environment, Safety, and Health Policy requires that employees call EMO for the types of emergency events described under condition IV.M, and that evacuations be conducted in accordance with already-written plans. We therefore request that instead of providing the name of an individual inspector, that condition IV.M read:

LANL shall maintain an adequately trained on-site inspector or an Emergency Management Office (EMO) duty officer to direct emergency procedures which could result from fires, explosions, or releases of PCB containing waste at the facility. LANL shall submit either the name of the inspector or the names of the EMO duty officers within sixty (60) days of the effective date of this approval. LANL shall maintain in good working order any equipment required to deal with these emergencies.

II. CLARIFICATIONS REQUESTED

A. Conditions III.C.2

Approval condition III.C.2 states that all PCB articles, equipment, and containers shall be properly marked according to 40 CFR 761.45 and 761.90. We are not aware of the existence of 761.90 and its citation may be an error.

B. Condition IV.B

Approval condition IV.B requires that LANL comply with all federal, state, and local regulations and agreements, including permits for incineration of solid and hazardous wastes, and applicable RCRA regulations during PCB incineration. The CAI was included in the Part A submittal for mixed waste and has a Part B permit for hazardous waste as well as a permit for PCB incineration.

The permits and regulations conflict in various ways, and in one case, the condition cannot technically be achieved. For example, condition V.B.1 of the RCRA permit states that only wastes identified in Permit Attachment G with Process Code T03 shall be incinerated;

FEB 16 1993

PCBs are not listed in Permit Attachment G. Second, condition V.B.1 also states that only wastes generated at the Permittee's facility shall be incinerated whereas the original PCB permit allowed incineration of off-site wastes. DOE would like to retain the capability to incinerate off-site PCBs (see modification above under II.C.). In addition to these inconsistencies, others will arise because the RCRA and Toxic Substances Control Act (TSCA) regulations are not entirely consistent and conditions applicable to operation under RCRA may not be appropriate in achieving all of the TSCA regulations.

The RCRA permit for hazardous waste requires that radioactive emissions not exceed background by 10% in one minute or 50% instantaneously. Current continuous monitoring technology cannot achieve these detection requirements. In addition to the lack of technology in this area, there is a conflict between National Emission Standards for Hazardous Air Pollutants (NESHAP) and RCRA requirements. NESHAP requires continuous sampling and an alarming Continuous Air Monitor (CAM), but does not designate a specific level of sensitivity for the CAM. Further clarification between the RCRA permit and NESHAP requirements is needed in order to ensure that the TSCA requirements can also be met.

III. EPA-REQUESTED INFORMATION

A. Condition III.B.4

Condition III.B.4 requires that EPA, Region 6, be provided with a waste analysis plan for the liquid waste, which is enclosed.

B. Condition III.C

Condition III.C requires that EPA, Region 6, be provided within 60 days of October 9, 1992 (i.e., December 6, 1992), a copy of LANL's Spill Prevention, Containment, and Countermeasures (SPCC) plan for PCB storage. A copy has been submitted to meet the due date. It should be noted that LANL is currently expanding the part on PCB storage which will be incorporated as a supplement to the SPCC plan.

C. Condition IV.M

Condition IV.M requires that EPA, Region 6, be provided within 60 days of October 9, 1992 (i.e., December 6, 1992), the name of the on-site inspector to direct

Dr. Allyn M. Davis

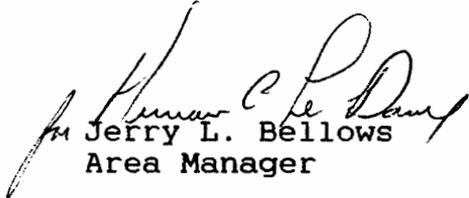
6

FEB 16 1993

emergency procedures which could result from fires, explosions, or releases of PCB containing waste at the facility. We have submitted LANL's EMO's duty officers (our rationale for this is presented under Modifications Requested above).

If you have any questions, please contact Steve Slaten of my staff at (505) 665-5050 or Raul Morales of LANL's Environmental Protection Group at (505) 667-0814.

Sincerely,


Jerry L. Bellows
Area Manager

LESH:7SS-013

Enclosure

cc w/o enclosure:

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