



State of New Mexico  
**ENVIRONMENT DEPARTMENT**

**Hazardous & Radioactive Materials Bureau**  
525 Camino De Los Marquez  
P.O. Box 26110  
Santa Fe, New Mexico 87502  
(505) 827-4358  
Fax (505) 827-4361

**Mark E. Weidler**  
Secretary

**Edgar T. Thornton, III**  
Deputy Secretary

**Gary E. Johnson**  
Governor

February 10, 1995

Dear Concerned Citizen:

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Enclosed is a fact sheet regarding a Hazardous Waste Facility Permit modification which the New Mexico Environment Department (NMED) proposes to approve for Los Alamos National Laboratory (LANL). This modification addresses the destruction and removal efficiency of the Controlled Air Incinerator at LANL.

A copy of the proposed permit modification is available for review weekdays between 8 am and 5 pm at the office of the **NMED Hazardous and Radioactive Materials Bureau, 525 Camino de los Marquez, Suite 4, Santa Fe, NM 87502**. You may also review the permit modification during normal business hours at the LANL Community Reading Room, 1350 Central Avenue, Suite 101, Los Alamos, NM, and the main public libraries in Santa Fe, Los Alamos, Española, and Taos. If you want to comment upon this proposed plan or request a public hearing, please submit written comments or requests, along with your name and address, to the above Santa Fe address. Requests for a public hearing must state the nature of the issues proposed to be raised in the hearing, if held. Only comments and/or requests received by April 11, 1995, will be considered. **Please note the announcement of an informal public meeting on the fact sheet.**

If you have any questions regarding the proposed permit modification, please contact Mr. Steve Zappe at (505) 827-4308, or at the Santa Fe address given above.

Sincerely,

*Barbara Hoditschek*  
Barbara Hoditschek, RCRA Permits Program Manager  
Hazardous and Radioactive Materials Bureau

Enclosure

cc: File LANL 95-Red



8734

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3. Warning Signs. The legibility and condition of warning signs shall be included in the quarterly inspection. Missing or illegible signs shall be promptly replaced within 24 hours of discovery.
  - a. Signs shall be at the entrances to the hazardous waste units. Collocated units may be included within one signed area.
  - b. Signs shall say "Danger, Unauthorized Personnel Keep Out" and "Hazardous Waste Storage Area".
  - c. Signs shall be in English and Spanish.
  - d. Signs on approachable fences shall be spaced no more than 50 feet apart.
4. Automatic Cutoff. The automatic cutoff system shall be tested every 2000 operating hours to demonstrate proper operation.
5. Destruction and Removal Efficiency. The destruction and removal efficiency (DRE) shall be verified after incinerator modifications affecting the DRE, upon accumulation of eight thousand hours of hazardous waste incineration time or three years after the commencement of hazardous waste incineration (whichever occurs first), or if NMED determines that new information requires further testing of the incinerator. The time calculation shall be restarted following any verification required by this paragraph.

#### V.I. RECORDKEEPING

1. Waste History. The incinerator operating record shall include the source, date of receipt, description, quantity and date of incineration for each batch of hazardous waste incinerated.
2. Waste Analysis. Records of waste analysis shall be kept in accordance with permit paragraph II.K.1.a. above.
3. Inspections. Records of inspection shall be kept for three years from the date of the last action taken as a result of the inspection.
4. Automatic Waste Feed Cutoff. Whenever the automatic waste feed cutoff system required by permit paragraph V.F.8. above operates, the cause, time and remedy or repair shall be entered in the operating record. This record shall include the testing or demonstration operations required by permit paragraph V.H.4. above.
5. Effluent Analysis.
  - a. Whenever sampling and analysis of the incinerator combustion exhaust or effluent control system scrubber solution are done, the sampling date, individual(s), methods and analytical results shall be entered in the operating record.
  - ~~b. The destruction and removal efficiency (DRE) shall be reverified after incinerator modifications affecting the DRE, upon accumulation of eight thousand hours of hazardous waste incineration time or five years after the effective date of this permit, whichever occurs first or if EID determines that new information requires further testing of the incinerator. Subsequent to a modification subject to this paragraph the time calculation shall be restarted.~~
  - ~~cb.~~ Results of calculations of the DRE associated with effluent analysis shall be entered in the operating record.



Gary E. Johnson  
Governor

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**HAZARDOUS WASTE FACILITY  
PERMIT MODIFICATION FACT SHEET**

for the

CONTROLLED AIR INCINERATOR  
Los Alamos National Laboratory

February 10, 1995

**Activities:** Modification of the Hazardous Waste Facility Permit concerning the verification of the Destruction and Removal Efficiency of the Controlled Air Incinerator.

**Facility Name:** Los Alamos National Laboratory

**EPA ID Number:** NM0890010515

**Location:** Los Alamos National Laboratory (LANL) is located in Los Alamos County, New Mexico. The Controlled Air Incinerator (CAI) is located in Technical Area 50, Building 37.

**Background  
Information:**

The New Mexico Environment Department (NMED) issued a Hazardous Waste Facility Permit on November 8, 1989, to the Department of Energy and the University of California for the Los Alamos National Laboratory. The permit allows LANL to operate certain hazardous waste management units, such as the CAI. One condition in the permit requires LANL to verify the Destruction and Removal Efficiency (DRE) for the CAI after 8000 hours of hazardous waste incineration time or five years after the effective date of the permit, whichever comes first. The intent of this condition was to ensure the CAI continues operating at the required level of efficiency. However, the CAI has not operated since 1987 and was not ready to operate when the five year verification required by the permit came due in November 1994. LANL proposed a Class 1 modification to NMED which accounted for the fact that the incinerator had never operated under the permit. NMED found the initial proposed language unacceptable, and also determined it to be a Class 2 modification because it sought to change the frequency of inspection schedule for the CAI. NMED developed the current language for the proposed modification.

**Effect of  
Proposed  
Modification:**

The current proposed modification addresses the conditions requiring verification of the DRE for the CAI. Under the proposed language, the phrase "five years after the effective date of this permit" would be replaced by "three years after the commencement of hazardous waste incineration". This condition is more protective of human health and the

environment by increasing the frequency of verification, while at the same time not requiring verification if the CAI has never burned hazardous waste. The modification also moves this permit condition from the Recordkeeping section (V.I.5.b) to a more appropriate location in the Inspection section (IV.H.5). A minor typographical error on the same page (Section V.I.1), where "date of incineration" is replaced by "rate of incineration", is also corrected in the modification.

**Permit  
Modification  
Availability:**

Copies of the proposed permit modification are available for public review weekdays between 8 am and 5 pm at the **NMED Hazardous and Radioactive Materials Bureau, 525 Camino de los Marquez, Suite 4, Santa Fe, NM 87502**, and during normal business hours at the following locations:

LANL Community Reading Room 1350 Central Avenue, Suite 101 Los Alamos, NM 87544 Ph 505/665-2127	Mesa Public Library 2400 Central Avenue Los Alamos, NM 87544 Ph 505/662-8250
Harwood Library 114 Civic Plaza Drive Taos, NM 87571 Ph 505/758-8664	Española Public Library 314A Oñate Street Española, NM 87532 Ph 505/753-3860
Santa Fe Public Library 145 Washington Avenue Santa Fe, NM 87501 Ph 505/984-6781	

**Public Meeting:** The public is invited to attend an **informal informational meeting scheduled for Tuesday, March 7, from 6:30 - 8:30 PM at Mesa Public Library**. The building is located at 2400 Central Avenue in Los Alamos. NMED, DOE and LANL staff members will be available at the meeting to provide additional information on the proposed permit modification.

**Comment Period  
and Request  
for Hearing:**

Any person, including LANL, who wants to comment on the proposed decision to approve the permit modification, or who wants to request a public hearing, may do so by submitting written comments or requests to the NMED Hazardous and Radioactive Materials Bureau, 525 Camino de los Marquez, P.O. Box 26110, Santa Fe, NM 87502, **ATTENTION: Mr. Steve Zappe**. Any request for hearing shall state the nature of the issues proposed to be raised in the hearing and must include the requestor's name and address. **Only comments and/or requests received by April 11, 1995, will be considered.** For further information, call Mr. Zappe at (505) 827-4308.

**Final Decision:**

NMED will consider all comments submitted on this proposed permit modification before formulating a final decision. NMED will notify LANL, and each person who submitted a written comment during the public comment period, of the final decision or of any public hearing which may be scheduled. The final decision will require that activities at the CAI be conducted according to applicable State and Federal laws and with the terms approved in the permit modification.

PUBLIC NOTICE NO. 74

NEW MEXICO ENVIRONMENT DEPARTMENT  
HAZARDOUS AND RADIOACTIVE MATERIALS BUREAU  
Santa Fe, NM 87502

February 10, 1995

NOTICE OF INTENT TO APPROVE  
RCRA PERMIT MODIFICATION  
LOS ALAMOS NATIONAL LABORATORY  
EPA NO. NM0890010515

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for those portions of the Resource Conservation and Recovery Act (RCRA) in effect before the enactment of the Hazardous and Solid Waste Amendments of 1984 (HSWA). The HSWA imposes additional requirements on hazardous waste management facilities that will be administered by the U. S. Environmental Protection Agency (EPA) until the State of New Mexico receives additional authorization for those requirements.

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 et. seq. NMSA 1978, as amended, 1989) and the New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1), the New Mexico Environment Department can approve or disapprove permit modifications. The Hazardous and Radioactive Materials Bureau (HRMB) of the New Mexico Environment Department (NMED) proposes that the Department approve the permit modification initiated by Los Alamos National Laboratory (LANL), Los Alamos, New Mexico, EPA I.D. No. NM0890010515, for the Controlled Air Incinerator (CAI) located at Technical Area 50, Building 37.

NMED issued a Hazardous Waste Facility Permit on November 8, 1989, to the Department of Energy (DOE) and the University of California for the Los Alamos National Laboratory. The permit allows LANL to operate certain hazardous waste management units, such as the CAI. One condition in the permit requires LANL to verify the Destruction and Removal Efficiency (DRE) for the CAI after 8000 hours of hazardous waste incineration time or five years after the effective date of the permit, whichever comes first. The intent of this condition was to ensure the CAI continues operating at the required level of efficiency. However, the CAI has not operated since 1987 and was not ready to operate when the five year verification required by the permit came due in November 1994. LANL proposed a Class 1 modification to NMED which accounted for the fact that the incinerator had never operated under the permit. NMED found the initial proposed language unacceptable, and also determined it to be a Class 2 modification because it sought to change the frequency of inspection schedule for the CAI. NMED developed the current language for the proposed modification.

The current proposed modification addresses the conditions requiring verification of the DRE for the CAI. Under the proposed language, the phrase "five years after the effective date of this permit" would be replaced by "three years after the commencement of hazardous waste incineration". This condition is more protective of human health and the environment by increasing the frequency of verification, while at the same time not requiring verification if the CAI has never burned

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February 10, 1995  
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The administrative record for this proposed decision consists of the permit modification, a fact sheet, and related correspondence. You may review the administrative record weekdays between 8 am and 5 pm at the **NMED Hazardous and Radioactive Materials Bureau, Marquez Place, 525 Camino de los Marquez, P.O. Box 26110, Santa Fe, NM 87502**. You may review the permit modification and fact sheet during normal business hours at the **LANL Community Reading Room, 1350 Central Avenue, Suite 101, Los Alamos, NM**, and the main public libraries in **Santa Fe, Los Alamos, Española, and Taos**. To obtain a copy of the administrative record or any part thereof, at 35 cents per page, contact Mr. Steve Zappe at the above Santa Fe address or call (505) 827-4308. LANL's compliance history during the life of the permit being modified is also available from Mr. Zappe.

The public is invited to attend an **informal informational meeting on Tuesday, March 7, from 6:30 - 8:30 PM at Mesa Public Library**. The building is located at 2400 Central Avenue in Los Alamos. NMED, DOE and LANL staff members will be available at the meeting to provide additional information on the proposed permit modification. For more information, contact Jon Mack (DOE) at (505) 665-5026, Jack Ellvinger (LANL) at (505) 667-0638, or Steve Zappe (listed above).

Any person wanting to comment upon the proposed plan or to request a public hearing should submit written comments or requests, along with their name and address, to the above Santa Fe address. Requests for a public hearing should state the nature of the issues proposed to be raised in the hearing. **Only comments and/or requests received by April 11, 1995, will be considered.**

NMED will consider all comments submitted on this proposed permit modification before formulating a final decision. NMED will notify LANL, and each person who submitted a written comment during the public comment period, of the final decision or of any public hearing which may be scheduled. The final decision will require that activities at the CAI be conducted according to applicable State and Federal laws and with the terms approved in the permit modification.