



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-1557
Fax (505) 827-1544



MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

September 24, 1996

Mr. G. Thomas Todd, Area Manager
Department of Energy
Albuquerque Operations Office
Los Alamos Area Office
Los Alamos, NM 87544

Dear Mr. Todd:

RE: Public Notice for Class 3 Modifications, Controlled Air Incinerator at TA-50, Building 37 and Hazardous/Mixed Waste Storage at Technical Area 54, Area L.

Please reference the August 26, 1996 Notice of Class Determination and Temporary Authorization letter from the New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) for Permit Modifications requested by Los Alamos National Laboratory (LANL) for Hazardous/Mixed Waste Storage at Technical Area 54, Area L, and the April 17, 1995 Notice of Class Determination from HRMB for Permit Modifications requested by LANL for the Controlled Air Incinerator (CAI), at TA-50, Building 37. This letter is a notification of Public Notice with Intent to Approve both these modification requests.

Due to mission changes by DOE/LANL for the CAI the modifications determined by HRMB to be Class 3 were delayed. The following Class 3 modifications are addressed in this Public Notice and were part of Enclosure 4 of the April 17 Class Determination letter, at numbers 26 and 27:

26. Removal of primary combustion chamber gas-fired lower burner, because of the addition of the liquid injection vortex burner.
27. The height intensity vortex liquid burner will be enclosed in a glovebox to provide containment when servicing the component. Due to space limitations, the burner must be altered from the original design. The new burner has been specified to function exactly as the former burner design, and testing and third-party verification of equipment performance will be performed and provided.

Tc



8815

Mr. G. Thomas Todd
September 24, 1996
Page 2 of 3

The regulatory citation for these modifications given in the Class Determination letter of April 17, 1995 from HRMB to LANL is at 20 NMAC 4.1 Subpart X, 40 CFR §270.42.L.3:

"Modification of an incinerator, boiler, or industrial furnace by changing the internal size or geometry of the primary or secondary combustion units, by adding a primary or secondary combustion unit, by substantially changing the design of any component used to remove HCl/Cl₂, metals, or particulate from the combustion unit, by substantially changing the design of any component used to remove HCl/Cl₂, metals, or particulate from the combustion gases, or by changing other features of the incinerator, boiler or industrial furnace that could affect its capability to meet the regulatory performance standards. The Director will require a new trial burn to demonstrate compliance with the regulatory performance standards unless this demonstration can be made through other means."

Because the CAI is now undergoing RCRA Closure, no trial burn will be required. Further, HRMB understands that LANL has held a public meeting and published a Public Notice announcing equipment changes to the CAI, so no additional meetings or Notices are required.

The modification to allow hazardous and mixed waste storage at TA-54 Area L, Structures/Pads #36 and #58 are described in the February 21, 1996 letter from DOE to HRMB:

"We are not requesting an increase in storage capacity; rather, broader use of existent facilities to meet intended goals and compliance milestones.

This effort represents a two pronged approach. The first is directed at sorting, surveying, and decontaminating certain wastes currently in storage and labeled "suspect mixed waste." It is estimated that the amount of mixed waste in storage could be reduced by approximately 15 - 20 percent through this effort. All of the waste found to contain no radioactive component would be repackaged, shipped off-site, and disposed at a permitted Hazardous Waste Treatment, Storage, Disposal Facility.

The second is directed at specific mixed waste streams for which commercial treatment and/or disposal is currently available. These mixed waste streams will be staged, inspected, sampled, and analyzed to provide complete hazardous waste and radiological characterization. When these steps are completed, the mixed waste streams will be profiled into the commercial facilities and shipped for ultimate treatment and/or disposal."

Mr. G. Thomas Todd
September 24, 1996
Page 3 of 3

HRMB will now proceed with the Public Meeting and Public Notice of the modifications, pursuant to 20 NMAC 4.1 Subpart IX, 40 CFR §270.41, including the forty-five (45) day comment period. Enclosed you will find a Public Notice and Fact Sheet for both modification requests, and highlight/strikeout copies of modified permit pages for the hazardous and mixed waste storage modification. The CAI modifications do not effect permit language, so no highlight/strikeout pages are possible. The public meeting is scheduled for 7 p.m., October 16, 1996, in the Auditorium of the Harold Runnels Building, 1190 St. Francis Drive, Santa Fe, New Mexico.

After the conclusion of the forty-five (45) day comment period, the Director of NMED Water and Waste Management Division (WWD) will grant or deny the permit modification request according to the permit modification procedures of 20 NMAC 4.1 Subpart IX, 40 CFR §270.41. In addition, the Director will consider and respond to all significant written comments received during the forty-five day comment period. The final decision will become effective thirty (30) days after notice of the decision has been served on LANL, or such later time as the Director may specify, as per 20 NMAC 4.1., Section 902.10.

If there are any questions please feel free to contact Mr. Michael Chacón at (505) 827-1561.

Sincerely,
Michael Chacón

for
Barbara Hoditschek, Manager
RCRA Permits Management Program

Enclosures

cc: Benito J. Garcia, Chief, HRMB
David Neleigh, EPA (6PD-N)
File-Reading, LANL TA-50 Red 96 and LANL TA-54 Red 96