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State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
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MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

September 27, 1996

Ms. Carmen Rodriguez
LANL Community Reading Room
1350 Central Avenue, Suite 101
Los Alamos, NM 87544

**RE: Public Notice of Proposed Permit Modifications for the
Controlled Air Incinerator and for Hazardous and Mixed Waste
Storage at Los Alamos National Laboratory**

Dear Ms. Rodriguez:

Please make the enclosed "Resource Conservation and Recovery Act" (RCRA) Proposed Permit Modifications, fact sheet and public notice available to the public from September 27, 1996 to November 11, 1996. Public Notice in the Albuquerque Journal and other newspapers states that these documents will be available at the main public libraries in Los Alamos and other cities. You will be contacted to verify if you did in fact receive this transmittal and the above mentioned enclosures.

Please return this copy to the New Mexico Environment Department's Hazardous and Radioactive Materials Bureau at the above address after the comment period closes.

Your cooperation in this matter will be appreciated.

Sincerely,
Michael Chaw
for
Barbara Hoditschek, Manager
RCRA Permits Management Program

Enclosures

cc: File - LANL TA-50 Red 96, LANL TA-54 Red 96, and Reading



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PUBLIC NOTICE NO. 93

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

September 27, 1996

NOTICE OF INTENT:

TO APPROVE CLASS 3 MODIFICATIONS TO THE RCRA PERMIT FOR 1: EQUIPMENT CHANGES TO THE CONTROLLED AIR INCINERATOR AT TA-50, BUILDING 37, AND 2: ADDING HAZARDOUS AND MIXED WASTE STORAGE TO STRUCTURES/PADS NUMBERS 36 AND 58 AT TECHNICAL AREA 54, AREA L, 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 the Resource Conservation and Recovery Act (RCRA) including the Hazardous and Solid Waste Amendments of 1984 (HSWA), for which New Mexico was authorized effective January 2, 1996. The HSWA imposes additional Corrective Action requirements on hazardous waste management facilities.

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 (NMED) can approve or disapprove permit modifications. The Hazardous and Radioactive Materials Bureau (HRMB) of NMED proposes that the Department approve modifications to the RCRA Permit for the Controlled Air Incinerator (CAI) located at Technical Area (TA) 50, Building 37, and the Hazardous Waste Storage Area at TA-54, Area L, at Los Alamos National Laboratory (LANL), Los Alamos, New Mexico, EPA I.D. No. NM0890010515. Under the requirements of 20 NMAC 4.1 Subpart IX, 40 CFR §270.41, Agency Initiated Modifications must include a forty-five (45) day Public Comment Period. The Comment Period begins on September 27, 1996, and concludes on November 11, 1996.

NMED issued a Hazardous Waste Facility Permit on November 8, 1989, to the Department of Energy (DOE) and the University of California for LANL. The permit allows LANL to operate certain hazardous waste management units, such as the CAI at TA-50, Building 37 and TA-54 Area L hazardous waste storage areas.

The CAI at TA-50, Building 37 has not been operated since 1987, but it is still subject to the requirements of the operating permit. LANL has commenced closure and dismantling of the CAI, and to bring the Permit up to date with equipment changes made to the CAI, has submitted Permit Modifications to HRMB for approval, thus requiring public participation. Processing these modifications will not affect Permit language or ongoing closure activities.

The modification to the Hazardous Waste Storage Area at TA-54 Area L is a request for additional permitted storage at LANL. The

request is not for an increase in storage capacity, but for broader use of existing facilities to meet intended goals and compliance milestones, caused in part by the implementation of requirements in the Federal Facility Compliance Order (FFCO), Attachment A, Mixed Waste Site Treatment Plan (STP).

The administrative record for this proposed decision consists of the proposed modifications and related correspondence, which includes LANL's meeting comments, notification comments obtained and other requests. You may review the administrative record on weekdays between 8 am and 5 pm at the **NMED Hazardous and Radioactive Materials Bureau library at 2044-A Galisteo, Santa Fe, NM**. You may also review the proposed modifications 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, as well as the **Governor's Offices of the Pueblos of San Ildefonso, Santa Clara, Santo Domingo and Cochiti**. To obtain a copy of the administrative record or any part thereof, at 35 cents per page, contact Mr. Michael Chacón at (505) 827-1561. LANL's compliance history during the life of the permit being modified is also available from Mr. Chacón.

The public is invited to attend a public meeting on October 16, 1996, at 7:00 p.m. in the Auditorium of the Harold Runnels Building, 1190 St. Francis Drive, Santa Fe, New Mexico. 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 Michael Chacón (NMED) listed above, Jody Plum (DOE) at (505) 665-5042; or Jack Ellvinger (LANL) at (505) 667-0633.

During the Public Comment Period, any person wanting to comment upon the proposed modifications or to request a public hearing should submit written comments or requests, along with their name and address, to: Program Manager, RCRA Permits Management Program, at **NMED Hazardous and Radioactive Materials Bureau, P.O. Box 26110, Santa Fe, NM, 87502**. 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 5 p.m., October XX, 1996, will be considered.**

NMED will consider all written comments submitted on these proposed modifications 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 at TA-50, Building 37 and the Hazardous Waste Storage Area at TA-54 Area L be conducted according to applicable State and Federal laws and the terms approved in the operating permit.



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FACT SHEET

**Intent to Approve Permit Modifications for
TA-50, Building 37 and TA-54, Area L
Public Comment Period
September 27, through November 11, 1996**

for the Technical Area (TA) 54, Area L Structures/Pads #36 and #58 and Controlled Air Incinerator (CAI) TA-50, Building 37, Los Alamos National Laboratory

Activities: Class III Permit Modification of the Hazardous Waste Facility Permit for Hazardous and Mixed Waste storage at TA-54 Area L, Structures/Pads #36 and #58, and equipment changes at the Controlled Air Incinerator (CAI) TA-50, Building 37.

Facility Name: Department of Energy, Los Alamos National Laboratory

EPA ID Number: NM0890010515

Location: Los Alamos National Laboratory (LANL) is located in Los Alamos County, New Mexico. Structures/Pads #36 and #58 are located in TA-54 Area L. The Controlled Air Incinerator is located in TA-50 Building 37.

Type of facility or activity: 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 hazardous waste storage areas at TA 54 Area L, and hazardous waste treatment units such as the CAI, TA-50, Building 37.

Type and Quantity of Waste: The CAI is permitted to incinerate only wastes identified in Permit Attachment G with the Process

**Public
Meeting:**

The public is invited to attend a meeting scheduled for October 16, 1996, at 7:00 PM in the Auditorium of the Harold Runnels Building, 1190 Saint Francis Drive, Santa Fe, New Mexico. NMED, DOE and LANL staff members will be available at the meeting to provide additional information on the proposed Class III permit modifications.

**Comment Period
and Request
for Hearing:**

Any party, including LANL, who wishes to comment on the intent to approve the proposed Class III permit modifications, or who wishes to request a public hearing, may do so by submitting written comments or requests to: Program Manager, RCRA Permits Management Program, NMED Hazardous and Radioactive Materials Bureau, 2044-A Galisteo, P.O. Box 26110, Santa Fe, NM 87502. 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 November 11, 1996,** will be considered. NMED will publish a thirty day (30) notice of a public hearing, if a hearing is scheduled. For further information, call Mr. Michael Chacón at (505) 827-1561.

**Final
Decision:**

NMED will consider all comments submitted on this proposed Class III 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 TA-54 Area L and the CAI, TA-50, Building 37, be conducted according to applicable State and Federal laws and with the terms approved in the permit modification.

cc:

Mr. Benito Garcia, Bureau Chief
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo Street, Building A
P. O. Box 26110
Santa Fe, New Mexico 87505
H. Haynes, Office of Counsel, LAAO
J. Ellvinger, ESH-19, LANL, MS-K490
G. Bacigalupa, ESH-19, LANL, MS-K490