



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



GARY E. JOHNSON
 GOVERNOR

PETER MAGGIORE
 SECRETARY

RED LANL TA-50/99
 TA 50

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 19, 1999

Mr. David A. Gurule, Area Manager
 Department of Energy
 Los Alamos Area Office
 528 35th Street, Mail Stop A316
 Los Alamos, New Mexico 87544

Dr. John C. Browne, Director
 Los Alamos National Laboratory
 P.O. Box 1663, Mail Stop A100
 Los Alamos, New Mexico 87545

Dear Mr. Gurule and Dr. Browne:

**RE: Notice of Determination; Withdrawal Request for Technical
 Area (TA) 50 Storage Units
 EPA I.D. No. NM 089 001 0515**

The Hazardous and Radioactive Materials Bureau (**HRMB**) of the New Mexico Environment Department (**NMED**) has received the letters dated November 12, 1998 (Ref: LAAME:6JP-105, LAAME:6JP-106, LAAME:6JP-107, LAAME:6JP-108) from the Department of Energy/Los Alamos Area Office (**DOE/LAAO**). These letters request removal of the following units from HRMB's list of active Treatment, Storage and Disposal units (i.e. the Los Alamos National Laboratory [**LANL**] operating permit):

1. TA-50 Modular Storage Building 137.
2. TA-50 Modular Storage Building 138.
3. TA-50 Storage Pad 139.
4. TA-50 Storage Pad 140.

TK



8879

Attached to each letter is a signed certification that each unit was never built and thus never stored mixed or hazardous waste. Although never built, these units are in the LANL operating permit, so removing them is a permit modification. HRMB has determined that these requests constitute a Class 3 modification to LANL's Operating Permit, as per 20 NMAC 4.1 Subpart X, 40 CFR 270.42. DOE/LAAO must submit to HRMB modified permit pages in redline/strikeout and clean insertable versions, as well as electronic versions in Microsoft Word format.

DOE/LAAO also must complete the public notice requirements of 20 NMAC 4.1 Subpart X, 40 CFR §270.42(c)(2 through 6), using the approved facility mailing list included as Attachment B. Within ten (10) calendar days of the end of the public comment period, DOE/LAAO must submit a copy of all public comments to HRMB.

New Mexico Hazardous Waste Management regulations require the collection of fees for permit modifications. A fee worksheet is included as Attachment A. DOE/LAAO shall submit the remittance payable to: NMED Hazardous Waste Permit Fees. Address payment to:

RCRA Permits Management Program
New Mexico Environment Department
P.O. Box 26110
Santa Fe, NM 87502

After DOE/LAAO has submitted the permit modification fee, HRMB will complete a review for technical adequacy of the permit modification request, and will public notice the intent to approve.

DOE/LAAO is required to submit the permit modification request to HRMB within thirty (30) calendar days of receipt of this letter. If the receipt is not signed, DOE/LAAO will respond within thirty (30) calendar days of the date of this letter. If DOE/LAAO fails to respond within the allotted time, HRMB will submit a Notice of Intent to Deny the permit modification request.

Mr. Gurule and Dr. Browne
January 19, 1999
Page 3 of 3

If there are any questions, please feel free to contact Mr. John Kieling, HRMB's LANL Facility Manager at (505) 827-1558, extension 1012.

Sincerely,



Robert S. (Stu) Dinwiddie, Ph.D., Manager
RCRA Permits Management Program

RSD/mjc

cc: Benito J. Garcia, Chief, HRMB
John Kieling, HRMB
Michael Chacón, HRMB
David Neleigh, EPA (6PD-N)
H. Ledoux, DOE LAAO, MS A316
Jody Plum, DOE LAAO, MS A316
Jack Ellvinger, LANL ESH-19, MS K490
File: Reading and Red LANL TA-50 '99
Track: LANL, doc.date, NA, DOE/LANL, RPMP/Dinwiddie, RE, File

c:\documents\lanlwm\ta 50\137to140 NODET