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May 22, 1992

Mr. Jerry Bellows
Area Manager
Department of Energy
Albuquerque Operations
Los Alamos Area Office
Los Alamos, New Mexico 87544

Dear Mr. Bellows:

The New Mexico Environment Department has completed an administrative review of the Department of Energy's application for the operating permit required under the Resource Conservation and Recovery Act (RCRA) for Los Alamos National Laboratories, Los Alamos, New Mexico. The application is for Surface Impoundments located at Technical Area 53. The document reviewed was the RCRA Part B Permit Application dated July, 1991.

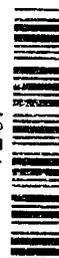
Based on this review pursuant to the New Mexico Waste Management Regulations (HWMR-6, as amended 1990), NMED has found the application to be deficient. The remainder of this letter is a list of the deficiencies noted.

1. HWMR-6, Part IX, Section 270.10(j)(1)(i): Exposure Information. After August 8, 1985, any Part B permit application submitted by an owner or operator of a facility that stores, treats, or disposes of hazardous waste in a surface impoundment or a landfill must be accompanied by information, reasonably ascertainable by the owner or operator, on the potential for the public to be exposed to hazardous wastes or hazardous constituents through releases related to the unit. As a minimum, such information must address:

Reasonable foreseeable potential releases from both normal operations and accidents at the unit, including releases associated with transportation to or from the unit;

2. HWMR-6, Part IX, Section 270.10(j)(1)(ii): Exposure Information.

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The potential pathways of human exposure to hazardous waste or constituents resulting from the releases described under paragraph (j)(1)(i) of this section.

- ✓ 3. HWMR-6, Part IX, Section 270.10(j)(1)(iii): Exposure Information.

The potential magnitude and nature of the human exposure resulting from such releases.

- ✓ 4. HWMR-6, Part IX, Section 270.14(b)(2): General Information.

Chemical and physical analyses of the hazardous waste to be handled at the facility. At a minimum, these analyses shall contain all the information which must be known to treat, store, or dispose of the wastes properly in accordance with Part 264.

- ✓ 5. HWMR-6, Part IX, Section 270.14(b)(6): General Information.

A justification of any request for a waiver(s) of the preparedness and prevention requirements of Part 264, Subpart C.

- ✓ 6. HWMR-6, Part IX, Section 270-14(b)(7): General Information.

A copy of the contingency plan required by Part 264, Subpart D. Note: Include, where applicable, as part of the contingency plan, specific requirements in Section 264.227.

- ✓ 7. HWMR-6, Part IX, Section 270.14(b)(12): General Information.

An outline of both the introductory and continuing training programs by owners or operators to prepare persons to operate or maintain the HWM facility in a safe manner as required to demonstrate compliance with Section 264.16. A brief description on how training will be designed to meet actual job tasks in accordance with requirements in Section 264.16(a)(3).

Finally, we do insist that the revised Part B, which includes the additional information required above, be an easily usable document. We do not categorically require a completely new version of the application, but in most cases this will be the easiest way to ensure comprehensibility. We do require an accurate table of contents.

Please submit the above requested information in one package within 30 days from the receipt of this letter. You may request a meeting to discuss the deficiencies and the required information. Such a meeting must be held within the thirty day period and will not suspend the thirty day deadline for compliance with this Notice. Failure to provide the information within thirty days, you will receive a Notice of Violation and may be subject to loss of interim status pursuant to Part IX, Section 210.10(e)(5).

Compliance with the requirements of this Notice does not relieve the Department of Energy of the University of California of its obligation to comply with the New Mexico Hazardous Waste Management Regulations in other activities, nor does it relieve the Department of Energy or the University of California of its obligation to comply with any other applicable laws and regulations.

Upon submission of a complete application, you will be notified of the determination and a technical review of the application will commence.

If you have any questions regarding this Notice, please contact me or Dr Herb Grover at (505) 827-4300 or at the address given above.

Sincerely,

Edward L. Horst, Program Manager
Hazardous and Radioactive Materials Bureau

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