



**Department of Energy**

Field Office, Albuquerque  
Los Alamos Area Office  
Los Alamos, New Mexico 87544

JUN 25 1992

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6/25/92  
[Signature]*

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Edward Horst  
Program Manager  
New Mexico Environment Department  
525 Camino de los Marquez  
Santa Fe, New Mexico 87503

Dear Mr. Horst:

This is in reference to the May 22, 1992 Notice of Deficiency (NOD) for Resource Conservation and Recovery Act (RCRA) Part B Application - Technical Area (TA) 53 Surface Impoundments. This letter constitutes the response of the Department of Energy (DOE) and the University of California to the referenced NOD. This NOD was issued to identify deficiencies resulting from the New Mexico Environment Department's completeness review of the Part B application submitted by the DOE and the Los Alamos National Laboratory (Laboratory) on July 25, 1991. In accordance with your request, all deficiencies have been addressed within 30 days. The deficiencies and the responses taken are set forth below.

Also included in this document are revisions made to enhance the quality of the Part B Application. New information has been provided by shading the language that has been added. A line striking through information that has been changed deletes the previous language. In addition, some sections have been substituted with better photocopies to ensure readability.

Deficiency: "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;"

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Response: The response to this and the next 2 deficiencies is contained in the third response.

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

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

Response: The response to this and deficiencies #1 and #3 is contained in the third response.

Deficiency: "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."

Response: The exposure information required by HWMR-6, Part IX, Section 270.10(j)(1)(i, ii, and iii) addressing potential releases, pathways of human exposure, and the magnitude and nature of these exposures is provided in Attachment 1. Although this information is required and hereby submitted, it should be noted that HWMR-6, Part IX, Section 270.10(c) and Federal Register preamble (Volume 50, Number 135, July 15, 1985, page 28726) states that a permit must not be deemed incomplete without this information.

Deficiency: "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."

Response: Available analytical data from the contents of the impoundments had been collected and provided to NMED on 12/13/91. All data currently available is included in the Exposure Information Report found in Attachment 1.

In an effort to ensure that these data reflected valid information, a comprehensive sampling and analysis plan was proposed in Chapter 3.0 of the Part B application. This plan was reviewed and comments were provided to the Laboratory by members of your staff. Revisions to the plan pursuant to these comments are included in this submittal. The sampling described in this section has been implemented and analysis is pending. However, due to the recent moratorium restricting the

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Laboratory's generation of mixed waste, analysis had to be temporarily discontinued. Analytical data from this effort will be provided to you as soon as it becomes available.

In the interim, sufficient information is available to properly handle the contents of the impoundments. Current information indicates that no incompatible, ignitable, or reactive wastes exist in the impoundments. In addition, entrance of mixed waste into the impoundments is not occurring now nor is it anticipated to occur in the future.

Several conversations between you and Alice Barr of the Environmental Protection Group (EM-8) at the Laboratory have indicated that this is an acceptable approach to resolve this deficiency.

Deficiency: "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."

Response: Section 6.5 of the original Part B application describes the justification for the lack of fire control equipment at the impoundments. It states that because no incompatible, ignitable, or reactive wastes have been detected in the impoundments, no threat of fire or explosion exists.

Section 6.5 also addressed other preparedness and prevention requirements by referencing the contingency plan in the Hazardous Waste Permit. This has now been changed to reference the contingency plan in Appendix G of the Part B Application Revision 1.0.

Deficiency: "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."

Response: A copy of the contingency plan for mixed waste units has been included in Appendix G of the Part B Permit Application Revision 1.0. All references in the Part B Application to the contingency plan found in the Hazardous Waste Permit have been changed to reference this Appendix in Revision 1.0.

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Deficiency: "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 and 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).

Response: A copy of the personnel training document for mixed waste handlers has been included in Appendix H of the Part B Permit Application Revision 1.0. All references to the personnel training section of the Hazardous Waste Permit have been changed to reference this Appendix in Revision 1.0.

In addition, personnel training requirements specific to the TA-53 surface impoundments have been described in Section 8.0 of Revision 1.0.

Pursuant to Section 264.16, the job descriptions and job titles of waste handlers are kept at the facility. However, this information is not required in the Part B Application, and is therefore not included in this submittal. It is my understanding that your conversation with Alice Barr of EM-8 on June 19, 1992, confirmed that this was acceptable.

In addition to the responses described above, other revisions have been included in this submittal to strengthen the Part B Permit Application. Although not requested by NMED at this time, these changes are as follows:

#### Section 2.0

- Figure 2-1 better indicates the regional location of the Laboratory and the surrounding land use;
- Figure 2-2 updates TA locations and indicates which TAs contain hazardous and mixed waste storage and treatment units. Additionally, Section 2.1.2 references topographic maps provided in the RCRA Part B Application, Revision 4.1 (November 1988) and the RCRA Part A Application for Mixed Waste (January 1991) which provides specific locations of all hazardous and mixed waste units at the Laboratory;
- the date has been added to Figure 2-3;
- Figure 2-5 has been updated to include new locations of springs and test wells, as provided in the Laboratory's recently published Environmental Surveillance Report for 1990;

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- Section 2.1.3 now notes that intermittent streams in the canyon bottoms constitute the only surface water on the Laboratory property;
- Section 2.1.4 and the corresponding Figure 2-7 have been revised to incorporate new wind rose data;
- Section 2.2.2 has been rewritten to indicate that floodplain maps were submitted;
- in Section 2.3.1, Figure 2-1 is now referenced as showing major roads throughout the Laboratory;
- Section 2.3.2 and 2.3.3 have been modified to indicate that liquid waste is no longer transported by truck to TA-53;
- Section 2.3.5 has been revised to include more information on traffic control signs, and Figures 2-15 and 2-16 have been added to show locations of traffic control signs throughout TA-53;

#### Section 4.0

- in Section 4.3, a discussion of the eventual tie-in of the TA-53 sanitary waste lines to the consolidated sanitary wastewater line has been added;
- in Section 4.3.1, it has been noted that the impoundment berms serve as barriers for flood control and that there is adequate natural drainage for runoff present at the site;
- Figure 4-4 has been replaced with what used to be Figure 4-5;
- Figure 4-6, the as-built drawing for the South impoundment waste line has been added;
- Figure 4-7, the as-built drawing for the outfall line from the Northeast impoundment and the pond level equalizer between the Northeast and Northwest impoundments has been added;

#### Section 5.0

- stratigraphic logs and completion diagrams for the neutron moisture logging holes and the pore gas sampling hole have been added to this Section;

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Section 6.0

- additional information on security at the TA-53 impoundments has been provided;
- Figure 6-1 has been revised to show fences, gates, and warning signs;
- on page 6-2, "EM-2" has been changed to "EM-8". It is also noted that Johnson Controls, Inc. is conducting inspection, with guidance from EM-8;
- Section 6.6 has been revised to address concerns regarding airborne releases of volatile organic compounds from the impoundments;

Section 7.0

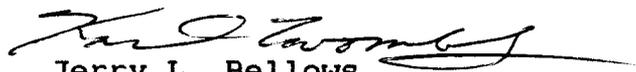
- on page 7-2, "EM-2" has been changed to "EM-8";

Section 10.0

- The original language in this Section provided a commitment to submit berm integrity testing analysis to NMED within 6 months. As you were informed during a meeting on 11/21/91, this activity was to be postponed until it was determined whether the impoundments were truly active RCRA units. The determination was to be made based on receipt of analytical data from the April 1992 comprehensive sampling and analysis effort. The berm integrity testing will be initiated when this determination is final and will be available within 6 months of that time.

Based on this submittal and the analytical data submittal to follow, DOE believes that all issues referenced in the May 22, 1992 NOD have been resolved. If you should have any questions regarding this response please call Mr. Jon Mack at 665-5026.

Sincerely,

  
Jerry L. Bellows  
Area Manager

LESH:2JM-109

Enclosures:

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cc w/enclosures:

D. Neleigh, USEPA Region VI, Dallas, TX

cc w/o enclosures:

A. Tiedman, ADO, LANL, MS A120

T. Gunderson, EM-DO, LANL, MS K491

K. Hargis (EM-8:92-1645-1), EM-8, LANL, MS K490