



Department of Energy

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

September 4, 1997



TA-54

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert S. (Stu) Dinwiddie, Ph.D.
Manager, RCRA Permits Management Program
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo Street, Building A
P. O. Box 26110
Santa Fe, New Mexico 87505

Dear Dr. Dinwiddie:

**SUBJECT: FURTHER CLARIFICATION OF THE DISPOSAL OF TREATED BARIUM SANDS
IN THE TA-54 MATERIALS DISPOSAL AREA J (MDA) J**

The purpose of this letter is to further clarify our letter of July 11, 1997 and to respond to the verbal concerns you voiced to Mr. Jack Ellvinger and me. That letter indicated that only treated barium sands have been disposed in the TA-54 Materials Disposal Area (MDA) J and that those wastes were all less than the level specified in the regulations for TCLP. You subsequently expressed concern over the possible application of 40 CFR 268 standards dealing with Underlying Hazardous Constituents (UHCs) to these wastes.

In response to that concern we researched the 268 requirements, looked into the dates of adoption for these regulations and again reviewed the facility data for treated barium sands disposal dates. Based on our investigation, we determined that the approval date for the 268 standards that cover UHCs was August 29, 1994. The last time barium treated sands were disposed in TA-54, MDA J was February 4, 1994. Additionally, as found in 40 CFR 268.40(e), it appears that metals delineated as D004 - D006 are not required to treat UHCs.

I hope that this clarifies the issue to your satisfaction. If you have further questions regarding this matter, please contact me at (505) 665-5042.

Sincerely,

H.L. "Nody" Plum
Office of Environment and Projects



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Stuart Dinwiddie

2

cc:

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