

62357



GARY E. JOHNSON
GOVERNOR

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



PETER MAGGIORE
SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

October 21, 1998

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

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

RE: Proposal to Approve: No Further Action for 99 Solid Waste Management Units (SWMUs) at Los Alamos National Laboratory (LANL)

Dear Mr. Gurule and Dr. Browne:

The New Mexico Environment Department (NMED) has issued a Public Notice with intent to approve the Class III permit modification requested by the Department of Energy (DOE)/LANL. This modification consists of approval of No Further Action (NFA) status for ninety-nine (99) Solid Waste Management Units (SWMUs) at Los Alamos National Laboratory and deletion of these SWMUs from Tables A, B and C of the Resource Conservation and Recovery Act (RCRA) permit issued to the DOE/LANL. These 99 SWMUs were contained in the submittals *Request for Permit Modification: Units Proposed for No Further Action* submitted by DOE/LANL, dated March and September 1995 and September 1996. These requests included 190 SWMUs to be considered for removal from the permit. NMED has approved and removed 3 SWMUs from LANL's permit. The 99 proposed SWMUs for approval are identified in Attachment A.

A public notice of this proposed action is scheduled for publication in the **October 21, 1998** issue of the **Albuquerque Journal, The New Mexican, El Hispano News, and the Los Alamos Monitor**. The 45-day public comment period will extend from **October 21, 1998** through **December 4, 1998**.



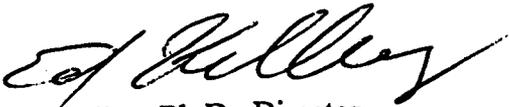
11555

Mr. Gurule and Dr. Browne
October 21, 1998
Page 2

Enclosed for your review are a copy of Tables A, B and C showing proposed changes in redline and strikeout and a copy of Tables A, B and C as they would appear after final approval. Also enclosed are copies of the public notice and fact sheet sent to persons and organizations on the LANL mailing list, and the statement of basis which provides additional information for the public about this action. These documents will also be available for public review at the NMED Hazardous and Radioactive Materials Bureau office in Santa Fe and at the LANL Community Relations Reading Room in Los Alamos. Procedures for submitting official comments are contained in the fact sheet.

Please call John Kieling of my staff at 827-1558 if you have any comments or questions.

Sincerely,



Ed Kelley, Ph.D., Director
Water and Waste Management Division
New Mexico Environment Department

EK:jek(HRMB)

enclosures

cc: T. Baca, LANL EM-DO, MS J591
J. Canepa, EM/ER, MS M992
J. Davis, NMED SWQB
B. Garcia, NMED HRMB
J. Kieling, NMED HRMB
M. Kirsch, EM/ER, MS M992
M. Leavitt, NMED GWQB
H. LeDoux, DOE LAAO, MS A316
D. McInroy, LANL EM/ER, MS M992
D. Neleigh, EPA, 6PD-N
J. Parker, NMED DOE OB
T. Taylor, DOE LAAO, MS A316
S. Yanicak, NMED DOE OB, MS J993
File: HSWA LANL G/P 98 and RED LANL G/P 98
Track: LANL, 10/21/98, DOE/LANL, NMED/WWMD/Kelley, RE, File

ATTACHMENT A

The ninety-nine (99) sites proposed for NFA in this action and justification for removal of these sites from LANL's permit are:

0-005	7-003(d)	16-010(g)
1-001(h)	8-003(b)	16-012(a)
1-001(i)	8-003(c)	16-012(b)
1-001(j)	8-006(b)	16-012(c)
1-001(k)	8-007	16-012(d)
1-001(l)	9-003(c)	16-012(e)
1-001(n)	9-003(f)	16-012(f)
3-001(a)	9-005(b)	16-012(g)
3-001(b)	9-005(c)	16-012(h)
3-001(c)	9-005(e)	16-012(i)
3-002(b)	9-005(f)	16-012(j)
3-009(b)	9-005(h)	16-012(k)
3-009(e)	9-007	16-012(l)
3-009(f)	11-007	16-012(m)
3-009(h)	14-004(b)	16-012(n)
3-012(a)	15-014(m)	16-012(o)
3-018	16-005(f)	16-012(p)
3-020(a)	16-005(i)	16-012(q)
3-035(a)	16-005(o)	16-012(r)
3-035(b)	16-006(b)	16-012(s)
3-039(a)	16-006(f)	16-012(t)
7-003(c)	16-006(i)	16-012(u)

16-012(v)	16-034(g)	46-008(c)
16-012(w)	21-012(a)	52-001(a)
16-012(x)	21-024(m)	52-001(b)
16-012(y)	21-027(b)	52-001(c)
16-012(z)	33-004(e)	52-002(b)
16-025(c)	33-004(f)	52-002(c)
16-025(g2)	35-003(i)	52-002(d)
16-026(i2)	36-003(c)	52-002(f)
16-031(g)	39-003	53-007(b)
16-032(d)	39-006(b)	54-001(c)
16-032(e)	40-001(a)	54-013(a)

FACT SHEET
October 21, 1998

NOTICE OF INTENT
TO APPROVE A MODIFICATION TO
RCRA PERMIT NO. NM0890010515
US DEPARTMENT OF ENERGY/LOS ALAMOS NATIONAL LABORATORY
NEW MEXICO

Action: Approval, subject to public review and input, of a Class III permit modification to remove ninety-nine (99) Solid Waste Management Units (SWMUs) from a RCRA permit.

Permitted: US Department of Energy/Los Alamos National Laboratory (DOE/LANL), New Mexico

Permit No.: NM0890010515

Reason for Action: The proposed modification will remove ninety-nine (99) SWMUs from Table A, Table B, and Table C of the permit. Tables A, B, and C list sites at LANL where Corrective Action to characterize and/or remediate past releases of hazardous waste or hazardous waste constituents may be necessary.

On March 27, 1995, September 28, 1995 and September 30, 1996 DOE/LANL proposed one-hundred ninety (190) SWMUs for No Further Action (NFA). At this time, the New Mexico Environment Department (NMED) has approved and removed three (3) sites from DOE/LANL's permit and has further identified ninety-nine (99) sites as appropriate for NFA. The ninety-nine (99) sites proposed for NFA in this action and justification for removal of these sites from LANL's permit are:

The following SWMUs are approved for NFA because they cannot be located or have been shown not to exist:

SWMU 3-009(b)	Surface Disposal	TA-3 (Former Operable Unit 1114)
SWMU 3-009(e)	Surface Disposal Area	TA-3 (Former Operable Unit 1114)
SWMU 7-003(c)	Typographical Error	TA-7
SWMU 7-003(d)	Typographical Error	TA-7
SWMU 21-012(a)	Dry Well	TA-21 (Former Operable Unit 1106)
SWMU 40-001(a)	Septic System	TA-40 (Former Operable Unit 1111)
SWMU 46-008(c)	Storage Area	TA-46 (Former Operable Unit 1140)
SWMU 52-002(c, d)	Septic Systems	TA-52 (Former Operable Unit 1129)
SWMU 54-013(a)	Decontamination Facility	TA-54 (Former Operable Unit 1148)

The following SWMUs are approved for NFA because they are duplicate SWMUs:

SWMU 3-009(h)	Surface Disposal Area	TA-3 (Former Operable Unit 1114)
SWMU 8-006(b)	Landfill	TA-8 (Former OU 1157)
SWMU 16-005(i)	Septic Tank	TA-16 (Former OU 1082)
SWMU 16-006(i)	Septic Tank	TA-16 (Former Operable Unit 1082)
SWMU 16-032(d)	Decommissioned HE Sump	TA-16 (Former Operable Unit 1082)

The following SWMUs are approved for NFA because they will be evaluated as part of another SWMU investigation:

SWMU 1-001(i)	Septic Tank 143	TA-1 (Former Operable Unit 1078)
SWMU 1-001(k)	Septic Tank 268	TA-1 (Former Operable Unit 1078)
SWMU 1-001(n)	Septic Tank 276	TA-1 (Former Operable Unit 1078)
SWMU 16-012(k, r, s)	Container Storage-Rest House	TA-16 (Former Operable Unit 1082)
SWMU 16-026(i2)	Outfall	TA-16 (Former Operable Unit 1082)
SWMU 16-034(g)	Soil Contamination	TA-16 (Former OU 1082)

The following SWMUs are approved for NFA because they have never been used for the management of RCRA solid or hazardous wastes and/or constituents:

SWMU 0-005	Landfill	TA-0 (Former Operable Unit 1071)
SWMU 1-001(h)	Septic Tank 142	TA-1 (Former Operable Unit 1078)
SWMU 1-001(l)	Septic Tank 269	TA-1 (Former Operable Unit 1078)
SWMU 3-009(f)	Surface Disposal	TA-3 (Former Operable Unit 1114)
SWMU 3-012(a)	Controlled Operational Release	TA-3 (Former Operable Unit 1114)
SWMU 3-018	Septic System	TA-3 (Former Operable Unit 1114)
SWMU 8-003(b)	Septic System	TA-8 (Former Operable Unit 1157)
SWMU 8-003(c)	Septic System	TA-8 (Former Operable Unit 1157)
SWMU 9-003(c)	Manhole	TA-9 (Former Operable Unit 1157)
SWMU 9-003(f)	Settling Tank	TA-9 (Former Operable Unit 1157)
SWMU 9-005(b)	Septic System	TA-9 (Former Operable Unit 1157)
SWMU 9-005(c)	Septic System	TA-9 (Former Operable Unit 1157)
SWMU 9-005(e)	Septic System	TA-9 (Former Operable Unit 1157)
SWMU 9-005(f)	Septic System	TA-9 (Former Operable Unit 1157)
SWMU 9-005(h)	Septic System	TA-9 (Former Operable Unit 1157)
SWMU 9-007	Basket Pit	TA-9 (Former Operable Unit 1157)
SWMU 11-007	Surface Disposal	TA-11 (Former Operable Unit 1082)
SWMU 16-005(f)	Decommissioned Septic System	TA-16 (Former Operable Unit 1082)
SWMU 16-005(o)	Septic System	TA-16 (Former Operable Unit 1082)
SWMU 16-006(b)	Septic System	TA-16 (Former Operable Unit 1082)
SWMU 16-006(f)	Septic System	TA-16 (Former Operable Unit 1082)
SWMU 16-025(c)	Abandoned Utility Building and Appurtenances	TA-16 (Former Operable Unit 1082)
SWMU 16-031(g)	Cooling Tower Outfall	TA-16 (Former Operable Unit 1082)
SWMU 16-032(e)	Decommissioned HE Sump	TA-16 (Former Operable Unit 1082)
SWMU 33-004(e)	Seepage Pit	TA-33 (Former Operable Unit 1122)
SWMU 33-004(f)	Septic System	TA-33 (Former Operable Unit 1122)
SWMU 35-003(i)	Wastewater Treatment Facility	TA-35 (Former Operable Unit 1129)
SWMU 36-003(c)	Septic System	TA-36 (Former Operable Unit 1130)
SWMU 39-003	Incinerator	TA-39 (Former Operable Unit 1132)
SWMU 39-006(b)	Septic System	TA-39 (Former Operable Unit 1132)
SWMU 52-001(a, b, c)	UHTREX Equipment	TA-52 (Former Operable Unit 1129)
SWMU 52-002(b, f)	Septic System	TA-52 (Former Operable Unit 1129)
SWMU 54-001(c)	Storage Area	TA-54 (Former Operable Unit 1148)

The following SWMUs are approved for NFA because they were proven to have made no release to the environment:

SWMU 1-001(j)	Septic Tank 149	TA-1 (Former Operable Unit 1078)
SWMU 3-039(a)	Silver Recovery Unit	TA-3 (Former Operable Unit 1114)
SWMU 8-007	Silver Recovery Unit	TA-8 (Former Operable Unit 1157)
SWMU 16-012(a, b, c, e, f)	Container Storage-Rest House	TA-16 (Former Operable Unit 1082)
SWMU 16-012(g, h, o, q, v)	Container Storage-Rest House	TA-16 (Former Operable Unit 1082)
SWMU 16-012(w, y, z)	Container Storage-Rest House	TA-16 (Former Operable Unit 1082)
SWMU 16-025(g2)	Magazine	TA-16 (Former Operable Unit 1082)
SWMU 53-007(b)	Above Ground Storage Tanks	TA-53 (Former Operable Unit 1100)

The following SWMUs are approved for NFA because they are regulated under another authority:

SWMU 3-001(a)	Less-than-ninety-day	TA-3 (Former Operable Unit 1114)
SWMU 3-001(b)	Satellite Accumulation Area	TA-3 (Former Operable Unit 1114)
SWMU 3-001(c)	Less-than-ninety-day	TA-3 (Former Operable Unit 1114)
SWMU 3-002(b)	Satellite Accumulation Area	TA-3 (Former Operable Unit 1114)
SWMU 14-004(b)	Satellite Accumulation Area	TA-14 (Former Operable Unit 1085)
SWMU 16-012(d)	Satellite Accumulation Area	TA-16 (Former Operable Unit 1082)
SWMU 16-012(i)	Satellite Accumulation Area	TA-16 (Former Operable Unit 1082)
SWMU 16-012(j)	Satellite Accumulation Area	TA-16 (Former Operable Unit 1082)
SWMU 16-012(l)	Satellite Accumulation Area	TA-16 (Former Operable Unit 1082)
SWMU 16-012(m)	Satellite Accumulation Area	TA-16 (Former Operable Unit 1082)
SWMU 16-012(n)	Satellite Accumulation Area	TA-16 (Former Operable Unit 1082)
SWMU 16-012(p)	Less-than-ninety-day	TA-16 (Former Operable Unit 1082)
SWMU 16-012(t)	Satellite Accumulation Area	TA-16 (Former Operable Unit 1082)
SWMU 16-012(u)	Satellite Accumulation Area	TA-16 (Former Operable Unit 1082)
SWMU 16-012(x)	Satellite Accumulation Area	TA-16 (Former Operable Unit 1082)

The following SWMUs are approved for NFA because they were characterized and/or remediated under another authority that adequately addressed corrective action:

SWMU 3-035(a)	Underground Storage Tank	TA-03 (Former Operable Unit 1114)
SWMU 3-035(b)	Underground Storage Tank	TA-03 (Former Operable Unit 1114)
SWMU 15-014(m)	Active Drain Line and Outfall	TA-15 (Former Operable Unit 1086)
SWMU 16-010(g)	Waste Water Treatment Facility	TA-16 (Former Operable Unit 1082)

The following SWMUs are approved for NFA because they were characterized and/or remediated in accordance with current applicable state or federal regulations:

SWMU 3-020(a)	Disposal Pit	TA-3 (Former Operable Unit 1114)
SWMU 21-024(m)	Drain Line	TA-21 (Former Operable Unit 1106)
SWMU 21-027(b)	Drain Line	TA-21 (Former Operable Unit 1106)

Availability of Additional Information: A Statement of Basis has been prepared to provide additional information on site history, evaluation of relevant investigations, and basis for the decision to approve NFA status. The administrative record for this proposed action consists of this fact sheet, NMED's statement of basis, the legal notice, the proposed revised Tables A, B, and C, and a summary of public involvement activities. The administrative record may be reviewed from October 21 through December 4, 1998 at:

New Mexico Environment Department
Hazardous and Radioactive Materials Bureau
P.O. Box 26110
2044-A Galisteo Street
Santa Fe, New Mexico 87502
(505) 827-1561
Attn: Mr. John Kieling

The legal notice, fact sheet, NMED's Statement of Basis, and modified permit may also be reviewed at:

Los Alamos National Laboratory Community Relations Reading Room
1350 Central Avenue, Suite 101
Los Alamos, New Mexico 87544

To obtain a copy of the administrative record or any part thereof, please contact Mr. John Kieling at the New Mexico Environment Department at the above address. Any person who wishes to comment on this permit modification or to request a public hearing should submit written comments/requests, along with the commentor's/requester's name and address, to John Kieling at the above address. Requests for hearing should include a statement of the nature of the issues proposed. Only comments/requests received by December 4, 1998 will be raised. NMED will provide a 30-day notice of the public hearing, if scheduled.

Final Decision: All written comments and issues raised at a Public Hearing, if held, will become part of the administrative record and will be considered in formulating the final decision. NMED may approve, or modify and approve, the requested permit modification based on the comments received. NMED will notify DOE/LANL and each person who submitted a written comment during the public comment period or testimony at a Public hearing of the final decision, including any approved change to the proposed modification, and a detailed statement of reasons for any such change. The final decision will be made according to applicable State and Federal laws.