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GOVERNOR

State of New Mexico TA 54  
ENVIRONMENT DEPARTMENT

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RON CURRY  
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**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

April 1, 2005

Mr. G. Pete Nanos, Director  
Director  
Los Alamos National Laboratory  
P. O. Box 1663, MS A100  
Los Alamos, New Mexico 87545

Mr. Edwin Wilmot  
Manager  
Los Alamos Site Office  
National Nuclear Security Administration  
Department of Energy  
528 35<sup>th</sup> Street, MS A316  
Los Alamos, New Mexico 87544

**RE: APPROVAL OF CLASS 1 PERMIT MODIFICATION WITH  
MODIFICATIONS FOR ATTACHMENT E.8 – CLOSURE PLAN PARTIAL  
CLOSURE FOR TA-54 AREA L HAZARDOUS WASTE  
TREATMENT/STORAGE TANKS INCLUDING SAMPLING AND ANALYSIS  
PLAN, REVISION 0.0  
LOS ALAMOS NATIONAL LABORATORY NM10890010515  
HWB-LANL-02-030**

Dear Messrs. Nanos and Wilmot:

This letter is in response to the letter received by the New Mexico Environment Department (NMED) from the National Nuclear Security Administration Department of Energy and the University of California (Permittees) regarding the "Submittal of the Technical Area (TA)-54, Area L Hazardous Treatment/Storage Tanks Concrete Sump Sampling and Analysis Plan for Soil Sampling, Attachment E.8 and Request for Determination," dated March 17, 2005 (no reference) and associated "Los Alamos National Laboratory TA-54, Area L, Pad TA-54-35 Sump Hazardous Waste Treatment/Storage Tanks Sampling and Analysis Plan Revision 0.0" referenced by LA-UR-05-1295 (March 2005; S & A Plan).



11878

### **Class 1 Permit Modification Determination**

NMED makes the determination that the permit modification request is equivalent to other Class 1 permit modification determinations requiring prior Agency approval. This determination is made pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42(d)(2)(i)) "Class 1 modifications apply to minor changes that keep the permit current with routine changes to facility or its operation. These changes do not substantially alter the permit conditions or reduce the capacity of the facility to protect human health or the environment."

NMED has reviewed the original permit modification request for the Closure Plan dated July 14, 2004 and the subsequent S & A Plan (which includes previous NMED modification requirements associated with the review of the July 14, 2004 document) and determines that modifications do not substantially alter the permit conditions or reduce the capacity of the facility to protect human health or the environment.

### **Approval with Modifications**

NMED finds the modification request to be a Class 1 permit modification and approves the S & A Plan with the modifications listed below.

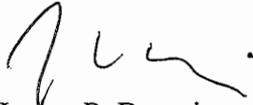
#### **Modifications**

1. Permittees shall collect an additional sample at a depth of two and one half feet below the base of the sump.
2. Permittees shall insure that all soil samples are collected from native soil (not previously placed fill material).
3. If any cracks are observed in the base of the sump or base of the pad, additional samples shall be collected at all required depths below each crack identified.
4. The S & A Plan proposed comparison of analytical results to baseline sampling to determine contaminants associated with historical waste management practices. NMED requires that clean closure shall be determined based on comparison with NMED residential soil screening levels (SSLs) and approved naturally occurring background levels for metals.

Messrs. Nanos and Wilmot  
April 1, 2005  
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Should you have any questions regarding this letter please contact Lee Winn of my staff at (505) 428-2541.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:lw

cc: J. Kieling, NMED HWB  
D. Cobrain, NMED HWB  
L. Winn, NMED HWB  
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File: ~~Reading~~ and TA-54 2005