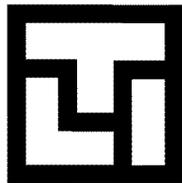


TA55



560 GOLDEN RIDGE ROAD, SUITE 130, GOLDEN, CO 80401

**TECHLAW INC.**

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November 11, 2002

Mr. Carl Will  
State of New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East  
Building One  
Santa Fe, New Mexico 87505-6303

2002

**Reference: Work Assignment No. Y513, 06110.040; State of New Mexico Environment Department, Santa Fe, New Mexico; General Permit Support Contracts; Los Alamos National Laboratories (LANL)-1B; Permitting Strategy for the Vitrification Unit at TA-55, Conference Call Summary; Task 09**

Dear Mr. Will:

A conference call was held on Wednesday, October 30, 2002 to discuss how the Vitrification Unit at Technical Area 55 (TA-55) of the Los Alamos National Laboratory (LANL) should be permitted under RCRA. Below is a table that lists the call participants and their affiliation. The call began at approximately 9 AM MST and lasted roughly 55 minutes.

Call Participants

<u>Attendee</u>	<u>Affiliation</u>	<u>Telephone</u>
Carl Will	NMED	505-428-2542
Sandra Gabaldón	NMED	505-428-2543
Brent Moore	NMED – OGC	505-428-2500
June Dreith	TechLaw, Inc.	303-763-7188
Paige Walton	TechLaw, Inc.	801-451-2978
Michael S. Smith	TechLaw, Inc.	770-752-7585, ext. 103

NMED began by asking TechLaw to identify the major deficiencies that still existed in LANL's information pertaining to the Vitrification Unit. TechLaw replied that the description of the off-gas system was deficient and cited a couple of examples from the evaluation of LANL's responses to notice of deficiency (NOD) comments on the Vitrification Unit. Paige added that

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there was little information on an automatic waste feed cutoff system. A discussion ensued on the level of detail included in the Vitrification Unit design report submitted to NMED by LANL. TechLaw stated that the report was still very much at the conceptual level and also noted that engineering design drawings were needed. Sandra and Brent thought that engineering drawings may have been submitted by LANL. Paige remarked that such drawings were not forwarded to TechLaw. Sandra, Brent, and Carl checked and it appeared that the only drawings furnished by LANL to date served only to locate the unit components within the floor space of Building TA-55-4. No design details were given.

Next, the discussion focused on the stack testing required for the Vitrification Unit. TechLaw believed that a Vitrification Unit was to be constructed at the Idaho National Engineering and Environmental Laboratory (INEEL) and, then, the same type of unit would be constructed at LANL. Brent pointed out that this was not the case. LANL documentation clearly stated that the Unit would be constructed at INEEL and, then, disassembled and shipped to LANL for reassembly and operation at TA-55. It was not clear if the Vitrification Unit would undergo stack testing while in Idaho and if it did, what waste streams would be used. TechLaw stressed that test results from Idaho would only be acceptable in the final permitting of the Vitrification Unit at TA-55 if the Idaho test used the same waste streams, the same design, and the same operating conditions that would be used at LANL. Because the purpose of assembling the unit in Idaho before it was put into operation at TA-55 was not clear, TechLaw suggested that NMED contact their Idaho counterparts to see if they had formulated plans for testing and/or permitting the INEEL Unit. Further, it was pointed out that New Mexico and Idaho are in different EPA regions and it might also prove useful to talk to the RCRA people in both regions.

NMED asked TechLaw's opinion on how the Vitrification Unit should be permitted. TechLaw suggested that the Unit be permitted as a miscellaneous unit with Subpart O serving as the basis for the permitting requirements. June remarked that the unit might possibly be permitted like a mobile incinerator. Michael mentioned that EPA's new MACT rule would likely be in effect before the Vitrification Unit was permitted, however, MACT will not likely impact the Unit greatly if it is permitted as a miscellaneous unit under Subpart X and not as an incinerator under Subpart O.

Further, TechLaw recommended that the Unit be addressed separately from the other TA-55 units. At a minimum, it was suggested that the Vitrification Unit permit be developed and finalized independent of the other units at TA-55. Upon completion of the Vitrification Unit permit, NMED would have the option of maintaining it as a separate permit or incorporate it as a module into the larger permit.

NMED pointed out that LANL wants a permit in place before construction of the Vitrification Unit begins. TechLaw noted this could not be done under RCRA. Based on pre-construction design information provided by LANL, NMED would be able to specify the permitting

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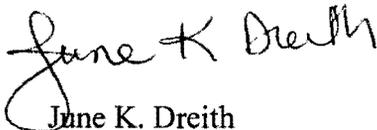
requirements for the Vitrification Unit, however, the RCRA permit could not be finalized until as constructed design information and operating data associated with measured unit emissions became available.

TechLaw spoke briefly about their experience with stack testing and chemical demilitarization incinerators (i.e., the incinerators were originally installed and tested at Johnston Atoll with similar units being constructed, subsequently, at numerous bases around the country). The stack test results for the original units were used as surrogates for performing pre-construction risk assessments on some of the other installations (e.g., Tooele Army Depot, now known as Deseret) to demonstrate the ability of the design to accomplish its intended mission. After the new installations were completed, they were subjected to their own stack tests and the RCRA permits were finalized based on the site-specific test results.

It was determined that a notice of deficiency specific to the remaining information needs for the Vitrification Unit should be developed and sent to LANL. The participants also agreed that a methodology for permitting the Unit should be prepared. TechLaw indicated their readiness to begin work on both documents. Carl indicated support for this approach but stated that he would first check with NMED management to finalize the scope and scheduling of the efforts before instructing TechLaw to begin work.

If you have any questions, please feel free to contact Ms. Paige Walton at (801) 451-2978 and Mr. Michael S. Smith at (770) 752-7585, extension 103.

Sincerely,



June K. Dreith  
Program Manager

Enclosure

cc: Ms. Sandra Gabaldón, NMED  
Mr. Brent Moore, NMED  
Ms. Paige Walton, TechLaw  
Mr. Michael S. Smith, TechLaw  
D. Romero, Denver TechLaw Files

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