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State of New Mexico
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MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

**CERTIFIED
RETURN RECEIPT REQUESTED**

September 18, 1996

Mr. G. Thomas Todd
DOE/LAAO
528 38th Street
Los Alamos, New Mexico 87545

Dear Mr. Todd:

Enclosed is the approved closure plan for the TA-55, Oxygen Sparging Unit approved by the New Mexico Environment Department (NMED) pursuant to the New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1, Revised November 1, 1995) Subpart VI, 40 CFR § 265.111 and § 265.112. The Public Comment Period ended on September 12, 1996. The effective date of the Closure Plan Approval is September 18, 1996.

NMED understands that DOE/LANL proceeded at risk, without benefit of approved closure plan, to clean by removal part or all the Oxygen Sparging Unit. Now, with the approved closure plan in place DOE/LANL may proceed with the Closure Certification and Verification as required by 20 NMAC 4.1 Subpart VI, 40 CFR 265.115.

DOE/LANL may request changes to the approved closure plan before final closure is completed. Any such request must be made to NMED in writing and must be approved by NMED before the changes are implemented. There are certain circumstances that may occur in the future which require that DOE/LANL submit a request to amend the approved closure plan. These circumstances are described in 20 NMAC 4.1 Subpart VI, 40 CFR § 265.112(c) and include changes in the operating plans or facility design which affect the closure plan, changes in the expected year of of closure, and unexpected events that occur in the course of the closure activities which affect the closure plan.



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Mr. G. Thomas Todd
TA-55, OSU Closure Plan Approval
September 18, 1996

Should you or your staff have any questions concerning this closure plan contact Mr. Robert S. (Stu) Dinwiddie of my staff at the above address or by phone at (505) 827-1561.

Sincerely



Ed Kelley Ph.D.
Division Director
Water and Waste Management Division

cc: Joe Vozella, DOE LAAO
H.L. (Jody) Plum, DOE LAAO
Jack Ellvinger, DOE LAAO
Barbara Hoditschek, HRMB
LANL Red File TA-55, "96"

Closure Plan Approval

Permittee: Department of Energy (DOE)
Los Alamos National Laboratory (LANL)

EPA Identification Number: NM0890010515

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), as amended (42 U.S.C. 6901, et seq. and the New Mexico Hazardous Waste Act, § 74-4-1 et seq., NMSA 1978) and regulations promulgated thereunder by the New Mexico Environmental Improvement Board (codified in the Hazardous Waste Management Regulations [20 NMAC 4.1 Revised November 1, 1995]) this Closure Plan is approved for Technical Area 55 (TA-55) Oxygen Sparging Unit at Department of Energy's Los Alamos National Laboratory hereafter called DOE/LANL.

DOE/LANL must comply with all terms and conditions of this Approved Closure Plan. The Approved Closure Plan consists of the activities described herein (including any appendices) and the applicable regulations contained in 20 NMAC 4.1, as specified in the Approved Closure Plan. Applicable regulations are those that are in effect on the date of issuance of this Approved Closure Plan Approval in accordance with 20 NMAC 4.1 Revised November 1, 1995.

This Closure Plan Approval is based on the assumption that information presented in the Part B, Closure Plan Submittal and the Administrative Record is accurate and the activities will be conducted as specified in the Closure Plan and Administrative Record.

Any inaccuracies found in the submitted information may be grounds for the modification or amendment of the Approved Closure Plan in accordance with 20 NMAC 4.1 Revised November 1, 1995 in Subpart VI 40 CFR § 265.113, and for enforcement action. DOE/LANL must inform the New Mexico Environment Department (NMED) of any deviation or changes in the information in the Closure Plan Submittal which would affect the DOE/LANL's ability to comply with the applicable regulations or conditions of the Approved Closure Plan under the provisions of 20 NMAC 4.1 Revised November 1, 1995 Subpart VI at 40 CFR § 265.113.

This Approved Closure Plan is effective the date of signature by the Division Director and shall remain in effect until Closure Certification Verification is approved or an Approved Post Closure Care Permit is Issued under the provisions of 20 NMAC 4.1 Revised November 1, 1995.

Signed this 18th day of September 1996

by Ed Kelley
Division Director, Water and Waste Management Division
New Mexico Environment Department