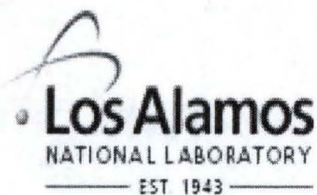



ERID-205224



IRM-RMMSO

Official Correspondence Form

Name:	U1101456	
Title:	Notice of Violation and Resolution	
Date Received:	8/10/2011	
Addressee Name:	Chris Cantwell, ADESHQ	
Originator:	John E. Kieling, NMED Santa Fe	
Action Item Description:		
Action Due Date:		
Responsible for Action:	Search 	
Responsible Office:		
Distribution:	James Cantwell Michael Graham Charles McMillan Isaac RichardsonIII Richard Marquez Paul Henry	Scotty Jones Deborah K. Woitte William Alexander Phoebe K. Suina Anthony R. Grieggs Tina Sandoval

U1101456





SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us



DAVE MARTIN
Secretary

BUTCH TONGATE
Acting Deputy Secretary

EP2011-5378

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 10, 2011

Kevin W. Smith
Manager
Los Alamos Site Office – DOE
3747 W. Jemez Road, MS A316
Los Alamos, NM 87544

James C. Cantwell, Associate Director
Environmental, Safety, Health, and Quality
Los Alamos National Security, LLC
Los Alamos Research Park
4200 Jemez Road, Suite 100
Los Alamos, NM 87545

**SUBJECT: NOTICE OF VIOLATION AND RESOLUTION
U.S. NNSA/DOE LOS ALAMOS NATIONAL LABORATORY,
EPA ID# NM0890010515**

Dear Messrs. Smith & Cantwell:

On June 13, 2011, the New Mexico Environment Department (NMED) conducted a hazardous waste Compliance Evaluation Inspection at U.S. NNSA/DOE Los Alamos National Laboratory (LANL), located in Los Alamos County. Based on that inspection and review of the information obtained, the NMED has determined that your facility is a Large Quantity Generator and a Permitted Treatment/Storage Facility of hazardous waste and has violated the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC) as specified below.

The NMED observed the following violation:

1. LANL failed to demonstrate the length of time that the following universal waste has been accumulating:
 - a) One 8-foot box of spent fluorescent bulbs located at Satellite Accumulation Area (SAA) #2401, TA-00, building 1309, room 107, and
 - b) Two 14-gallon blue poly containers with lithium ion, nickel-metal hydride, and nickel-cadmium batteries located at SAA #3292, TA-60, building 245, room 1014.

Messrs. Smith & Cantwell
August 10, 2011
Page 2

A small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated by marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received. This is a violation of 20.4.1.1000 NMAC, incorporating 40 CFR 273.15(c).

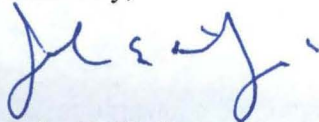
In accordance with 74-4-10 NMSA 1978, the NMED may: (1) issue a Compliance Order requiring compliance immediately or within a specified time period, or assess a civil penalty for any past or current violations of up to \$10,000 per day of non-compliance with each violation, or both; or (2) commence a civil action in District Court for appropriate relief, including a temporary or permanent injunction. Any such order may include a suspension or revocation of any permit issued by the NMED.

The NMED has reviewed your response, dated July 14, 2011, to the inspection. Based on the review and subsequent action taken at the time of inspection, the NMED has determined that the violation was adequately addressed during the Compliance Evaluation Inspection, and no further action is required.

Any action taken in response to this letter does not relieve LANL of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this letter, please contact Jaime Rodriguez of my staff at (505) 476-6067. Please address your written response to the attention of Mr. Rodriguez at the address on the letterhead.

Sincerely,



John E. Kieling
Acting Bureau Chief
Hazardous Waste Bureau

JEK:jr

cc: Art Vollmer, NMED HWB
Brady Christensen, NMED HWB
Jaime Rodriguez, NMED HWB
Steve Pullen, NMED HWB
Robert Italiano, NMED District II
Gene Turner, DOE/NNSA LASO, Environmental Permitting
Tony Grieggs, LANL, Water Quality & RCRA Group

file: Library #2930

NAME Alan Turner
Z# 081956
DATE 8/10/2011

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

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Mr. James C. Cantwell, Associate Director
Environmental, Safety, Health, and Quality
~~Los Alamos National Security, LLC~~
Los Alamos Research Park
4200 Jemez Road, Suite 100
Los Alamos, New Mexico 87545

A150

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