

SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

JAMES H. DAVIS, Ph.D.
Director
Resource Protection Division
EP2013-5010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 20, 2012

Kevin W. Smith, Manager
Los Alamos Site Office
Department of Energy
3747 W. Jemez Rd., MS-A316
Los Alamos, NM 87544

**RE: APPROVAL AND FEE ASSESSMENT
CLASS 1 PERMIT MODIFICATION REQUEST
LOS ALAMOS NATIONAL LABORATORY
EPA ID# NM 0890010515
LANL-12-070**

Dear Mr. Smith:

The New Mexico Environment Department (NMED) has received the United States Department of Energy's (DOE's) *Request for a Class 1 Permit Modification to the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit* (PMR) (dated December 18, 2012 and referenced by LA-UR-12-26978), requesting approval of a revision to Table K-1 in the Attachment K of their November 2010 Hazardous Waste Facility Permit (Permit). The Permit was issued to the DOE and the Los Alamos National Security, LLC (collectively, the Permittees). This request is a Class 1* Permit Modification Request that requires prior approval by NMED.

Table K-1 lists solid waste management units (SWMUs) and areas of concern (AOCs) that require corrective action. The PMR proposes to split SWMU 32-002(b), located in former technical area 32, into two separate SWMUs designated as SWMU 32-002(b1) and SWMU 32-

COR-BA-1.3.2013-487820

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002(b2), respectively. The portion of SWMU32-002(b) that is located on property owned by the Los Alamos School Board (LASB) will be designated as SWMU 32-002(b1) and the portion of the SWMU located on property owned by DOE will be designated as SWMU 32-002(b2). The division of SWMU 32-002(b) will allow for expedited completion of corrective action at the portion of the site owned by LASB in order to facilitate development of the site for commercial use by Los Alamos County. The PMR included a figure depicting the proposed boundaries for SWMU 32-002(b1) and SWMU 32-002(b2). NMED hereby approves the permit modification request to split SWMU 32-002(b) into SWMU 32-002(b1) and SWMU 32-002(b2) as defined by the boundaries shown on Figure 2 of the PMR. The updated page 27 from Table K-1 of Attachment K is enclosed.

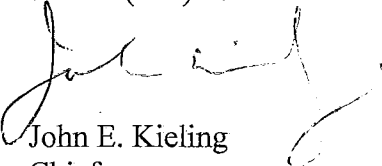
The PMR also makes statements regarding sites in the Upper Los Alamos Canyon Aggregate Area and an investigation report that is due to be submitted by February 28, 2014, "which will document completion of corrective action in the aggregate-area". NMED does not agree with the Permittees' statements regarding the completion of corrective action at other sites in the aggregate area and the statement is not relevant to this permit modification request. This approval exclusively applies to the division of SWMU 32-002(b) into two separate SWMUs. No decision regarding corrective action at sites in the aggregate area will be made until the investigation reports for these sites have been received, reviewed, and approved.

NMED deems the PMR administratively complete. The modification identified in the PMR was made to Permit Attachment K as requested by the Permittees under the conditions specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42(a)).

The New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2.201.B(2)(b) NMAC require the assessment of fees. The fee invoice is attached to this letter and the fee has been credited against FY 2013 supplement fees.

Further, the Permittees must send a notice of the Permit modification to all persons on the Facility mailing list maintained by the NMED. NMED will send you, electronically, the list concurrently with this letter of approval. This notification must be made within 90 calendar days after the Permittees receive this approval letter, as required by 40 CFR § 270.42(a)(ii), incorporated by 20.4.1.900 NMAC.

If you have any questions regarding this correspondence, please contact Neelam Dhawan of my staff at (505) 476-6042.


John E. Kieling
Chief
Hazardous Waste Bureau

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Attachments

- 1) Fee Invoice
- 2) Page 27 from Attachment K

cc:

J. Davis, RPD, NMED
J. Kieling, HWB, NMED
D. Cobrain, HWB, NMED
N. Dhawan, HWB, NMED
T. Hall, HWB, NMED
L. King, EPA 6PD-N
M. Haagenstad, ENV-RCRA, LANS, MS-K404
G. Turner, DOE-LASO, MS-A316

File: Reading and LANL Permit 2012, LANL-12-070

Table K-1

SWMUs and AOCs Requiring Corrective Action

TA-22		
SWMU	22-010(a)	Septic system
SWMU	22-010(b)	Septic system
SWMU	22-011	Disposal pit
SWMU	22-012	Decontamination pad
SWMU	22-014(a)	Sump System
SWMU	22-014(b)	Sump System
SWMU	22-015(a)	Drainlines and Dry Wells
SWMU	22-015(b)	Sump and outfall
SWMU	22-015(c)	Outfall from Building 22-52
SWMU	22-015(d)	Drainline and outfall associated with Building 22-1
SWMU	22-015(e)	Sump
SWMU	22-016	Septic system
TA-26		
SWMU	26-001	Surface disposal site
SWMU	26-002(a)	Soil contamination from former acid sump system
SWMU	26-002(b)	Drainline associated with Vault 26-1
SWMU	26-003	Septic tank
TA-27		
SWMU	27-002	Firing sites
SWMU	27-003	Bazooka impact area (Same as AOC 36-009)
TA-31		
SWMU	31-001	Soil Contamination from former Septic Tank
TA-32		
SWMU	32-001	Soil contamination from former Incinerator
SWMU	32-002(a)	Soil contamination from former septic tank
SWMU	32-002(b1)	Soil contamination from former septic tank
SWMU	32-002(b2)	Soil contamination from former septic tank
SWMU	32-003	Former Transformer Station
SWMU	32-004	Drainline and outfall from former Building 32-3
TA-33		
SWMU	33-001(a)	Disposal Pit (MDA E)
SWMU	33-001(b)	Disposal Pit (MDA E)
SWMU	33-001(c)	Disposal Pit (MDA E)
SWMU	33-001(d)	Disposal Pit (MDA E)
SWMU	33-001(e)	Soil contamination from underground chamber and shaft (MDA E)
SWMU	33-002(a)	Septic System (MDA K)
SWMU	33-002(b)	Sump (MDA K)
SWMU	33-002(c)	Sump (MDA K)
SWMU	33-002(d)	Drainline and outfall from former Building 33-86 (MDA K)
SWMU	33-002(e)	Drainline and outfall from former Building 33-86 (MDA K)



**New Mexico
Environment Department
Hazardous Waste Bureau**

Los Alamos National Lab
P O Box 1663
MS-M992
Los Alamos, NM 87545
Attn: Cindy Maze

December 20, 2012

Invoice # - HWB-LANL-12-070

Request for a Class 1 Permit Modification to the Los Alamos National Laboratory (LANL)
Hazardous Waste Facility Permit, December 2012

Quantity	Item	Item Cost	Total Cost
1	Class 1 (with prior approval)	\$2,500.00	\$2,500.00
PAID BY SUPPLEMENTAL FEE AGREEMENT DECEMBER 20, 2012		Total Fees	\$2,500.00
		Adjustment	\$0.00
		Pay This Amount	\$2,500.00

Make Checks Payable to: NMED/HWB

Mail Checks and Invoice to:

New Mexico Environment Department, HWB
Attn: James Valdez
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505

State of New Mexico Use Only:

Date Received: _____
 Check Number: _____
 Amount Received: _____

