



ESHID-602346

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*Date:* **MAY 01 2017**  
*Symbol:* EPC-DO: 17-153  
*LA-UR:* 17-22862  
*Locates Action No.:* N/A

John E. Kieling, Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303

**SUBJECT: Request for a Class 1 Permit Modification to the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit, EPA ID No. NM0890010515**

Dear Mr. Kieling:

The purpose of this letter is to request approval by the New Mexico Environment Department's Hazardous Waste Bureau (NMED-HWB) for a Class 1 Permit Modification to the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (Permit) issued to the Department of Energy (DOE) and Los Alamos National Security, LLC (collectively the Permittees) in November, 2010. The Permittees request to revise Table K-1 of Attachment K, *Listing of SWMUs and AOCs* to identify one existing Solid Waste Management Unit (SWMU) as two SWMUs, as shown in redline in Attachment 1. Under this proposed revision, the SWMU (01-001(s2)) presently located on property owned by Hutton Team, LLC, as well as property owned by the DOE and other property owners, would be designated as two SWMUs (01-001(s2) and 01-001(s3)) with SWMU 01-001(s3) being located on the property owned by Hutton Team, LLC.

The proposed modification is requested to allow the Permittees to expedite completion of corrective actions required under the June 2016 Compliance Order on Consent for a portion of the current SWMU located on the Hutton Team, LLC, property. This will allow corrective actions for the new SWMU to be completed in advance of those for the remainder of SWMU 01-001(s2), and allow a certificate of completion (CoC) without controls to be requested for the newly designated SWMU (SWMU 01-001(s3)). This outcome would assist in transitioning the Hutton Team, LLC property from its current vacant status to an economically productive use.

The SWMU included in this permit modification request is part of the Upper Los Alamos Canyon Aggregate Area. The Upper Los Alamos Canyon Aggregate Area Phase II Investigation Report, which will document completion of corrective actions in the aggregate area, is due to the NMED-HWB by September 30, 2018. In order to facilitate commercial development of this site, a CoC for that portion of the SWMU located within the footprint of the Hutton Team, LLC property must be obtained well in advance of this date.

The proposed modification has been prepared in accordance with the New Mexico Administrative Code, Title 20, Chapter 4, Part 1 (20.4.1.900 NMAC) [incorporating Code of Federal Regulations (CFR), Title 40 § 270.42], revised March 1, 2009. The modification addresses the potential schedule of corrective actions rather than the scope. Therefore, this modification meets the requirements set forth in 40 CFR, §270.42 Appendix I, Item A.5 and is hereby being submitted as a Class 1 modification requiring prior approval by the NMED-HWB.

The permit modification request includes this letter and an enclosure containing a description of the proposed permit modification, and text edits of Table K-1 (Attachment 1 of the Enclosure 1). Accordingly, a signed certification page is also included (Attachment 2 of the Enclosure 1). Three hardcopies and one electronic copy of this submittal will be delivered to the NMED-HWB.

If you have comments or questions regarding this permit modification, please contact Mark Haagenstad at (505) 665-2014 or Cheryl Rodriguez at (505) 665-5330.

Sincerely,

Sincerely,



John C. Bretzke  
Division Leader  
Environmental Protection & Compliance Division  
Los Alamos National Security LLC



Arturo Q. Duran  
Permitting and Compliance Manager  
Environmental Management  
Los Alamos Field Office

JCB:DSR:MPH/TD:am

Enclosures 1: Class 1 Permit Modification Description and Permit Changes

Copy: Laurie King, USEPA/Region 6, Dallas, TX, (E-File)  
Shelly Lemon, NMED/SWQB, Santa Fe, NM, (E-File)  
Neelam Dhawan, NMED/HWB, Santa Fe, NM, (E-File)  
Robert Murphy, NMED/HWB, Santa Fe, NM, (E-File)  
Stephen M. Yanicak, NMED/DOE/OB, (E-File)  
Karen E. Armijo, NA-LA, (E-File)  
Douglas E. Hintze, EM-LA, (E-File)  
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Arturo Duran, EM-LA, (E-File)  
Cheryl L. Rodriguez, EM-LA, (E-File)  
Paul B. Underwood, EM-LA, (E-File)  
Annette E. Russell, EM-LA, (E-File)  
Cindy Byerly, EM-LA, (E-File)  
Craig S. Leasure, PADOPS, (E-File)  
William R. Mairson, PADOPS, (E-File)  
Michael T. Brandt, ADESH, (E-File)  
Raeanna Sharp-Geiger, ADESH, (E-File)  
Randall Mark Erickson, ADEM, (E-File)  
Bruce Robinson, ADEM-PO, (E-File)  
Todd Haagenstad, ADEM-ERP, (E-File)  
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**COPY**



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The proposed modification is requested to allow the Permittees to expedite completion of corrective actions required under the June 2016 Compliance Order on Consent for a portion of the current SWMU located on the Hutton Team, LLC, property. This will allow corrective actions for the new SWMU to be completed in advance of those for the remainder of SWMU 01-001(s2), and allow a certificate of completion (CoC) without controls to be requested for the newly designated SWMU (SWMU 01-001(s3)). This outcome would assist in transitioning the Hutton Team, LLC property from its current vacant status to an economically productive use.

# **ENCLOSURE 1**

## **Class 1 Permit Modifications Description and Permit Changes**

EPC-DO: 17-153

LA-UR-17-22862

**MAY 01 2017**

Date: \_\_\_\_\_

**Document:** Table K-1 Class 1 Permit Modification  
**Date:** April 2017

### **Proposed Permit Modification Summary**

Solid Waste Management Unit (SWMU) 01-001(s2) is currently listed in Attachment K, Table K-1 of the Los Alamos National Laboratory Hazardous Waste Facility Permit (the Permit). Currently a portion of the SWMU 01-001(s2) is located on Hutton Team, LLC, property. The Permittees propose to designate a portion of the 01-001(s2) as a new SWMU. The proposed changes to Table K-1 are shown in redline in Attachment 1 of this permit modification request.

### **Rationale for Proposed Modification**

SWMUs 01-001(s2) is currently located on property owned by different entities. One portion of the SWMU 01-001(s2) is located on property owned by Hutton Team, LLC. The Permittees propose to designate the portion of SWMU 01-001(s2) that is located on the Hutton Team, LLC property as SWMU 01-001(s3) – Waste Line. This SWMU will be included as such in Table K-1 of the Permit.

This permit modification will allow the Permittees to expedite completion of corrective actions required under the June 2016 Consent Order for the newly-designated SWMU in advance of those for the remainder of the current SWMU, and allow a certificate of completion (CoC) to be requested for the newly designated SWMU. This outcome would assist in transitioning the Hutton Team, LLC property from its current vacant status to an economically productive use.

The above changes are shown in redline text in Table K-1 of Attachment 1 of this permit modification request. As shown in Figure 1, the boundaries of the remainder existing SWMU 01-001(s2) will remain the same and the only change is identifying the portion of the waste line that is located on the Hutton Team, LLC Property as SWMU 01-001(s3) (Shown in Figure 2). Corrective actions for the portions of SWMU 01-001(s2) on property owned by the Department of Energy (DOE) and other private owners will continue to be subject to the provisions of the Consent Order. Therefore, the proposed modification will continue to ensure that all potential contamination associated with the sites is addressed and would not reduce the protection of public health and the environment.



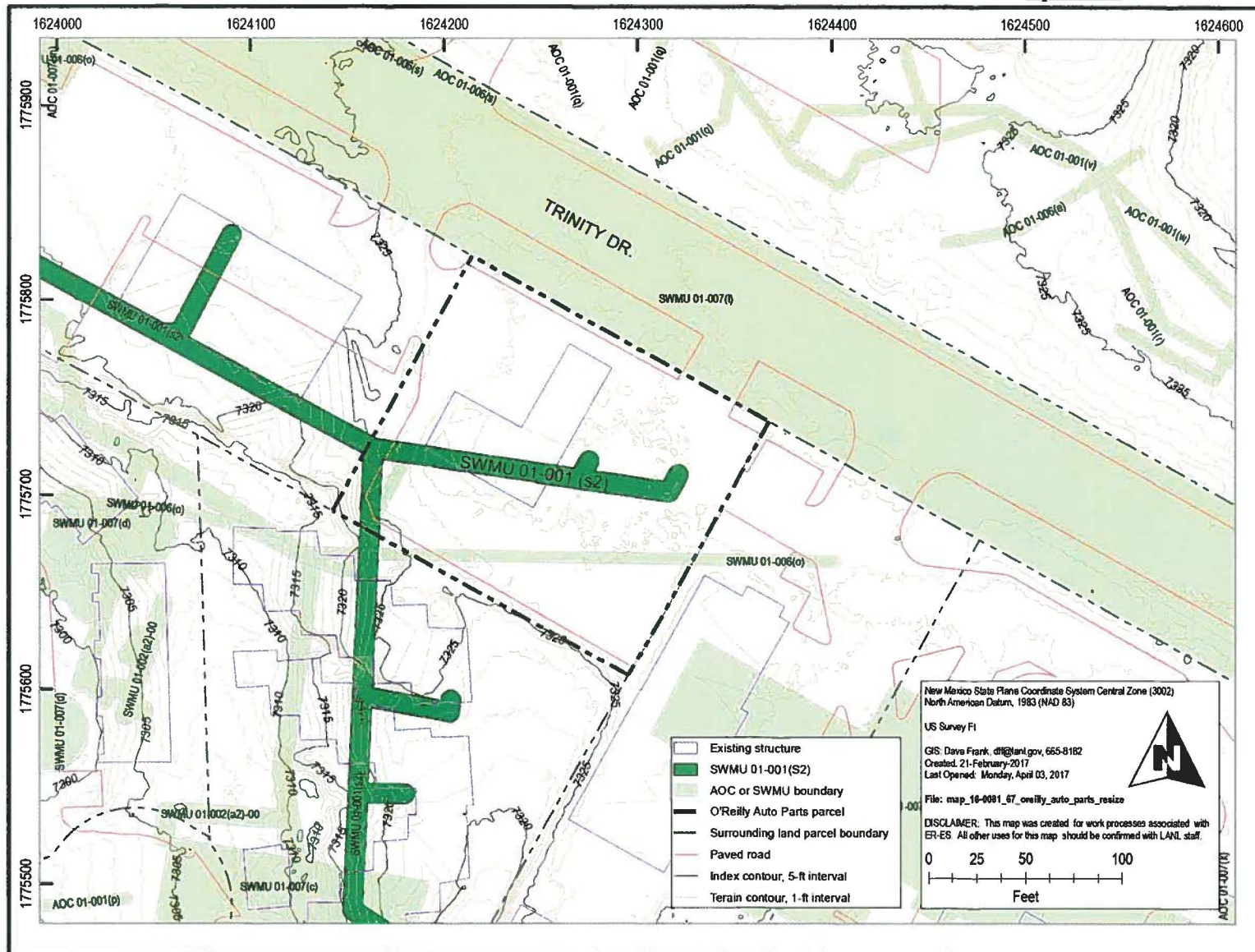


Figure 1. SWMU 01-001(S2)





**ATTACHMENT 1**  
**REDLINE OF TABLE K-1**

**Table K-1**  
**SWMUs and AOCs Requiring Corrective Action**

AOC	C-00-011	Pajarito Canyon
AOC	C-00-012	Three Mile Canyon
AOC	C-00-013	Potrillo Canyon
AOC	C-00-014	Canon de Valle Canyon
AOC	C-00-015	Fence Canyon
AOC	C-00-016	Water Canyon
AOC	C-00-017	Indio Canyon
AOC	C-00-018	Ancho Canyon
AOC	C-00-019	Chaquehui Canyon
AOC	C-00-020	Mortar impact area
AOC	C-00-021	DP Canyon
AOC	C-00-037	Landfill, Bandelier, NM
AOC	C-00-038	Surface Disposal, Bandelier, NM
AOC	C-00-041	Asphalt and tar remnant site
AOC	C-00-042	Former Underground Storage Tank
AOC	C-00-043	Former Manhole
AOC	C-00-044	Soil contamination
<b>TA-1</b>		
SWMU	01-001(a)	Septic Tank 134
SWMU	01-001(b)	Septic Tank 135
SWMU	01-001(c)	Septic Tank 137
SWMU	01-001(d1)	Soil contamination from Septic Tank 138
SWMU	01-001(d2)	Soil contamination from Septic Tank 138
SWMU	01-001(d3)	Soil contamination from Septic Tank 138
SWMU	01-001(e)	Septic Tank 139
SWMU	01-001(f)	Septic Tank 140(hillside)
SWMU	01-001(g)	Septic Tank 141
SWMU	01-001(o)	Waste Line
SWMU	01-001(s1)	Waste Line
SWMU	01-001(s2)	Waste Line
SWMU	01-001(s3)	Waste Line
SWMU	01-001(t)	Waste Line
SWMU	01-001(u)	Waste Lines
SWMU	01-002(a1)-00	Waste Lines
SWMU	01-002(a2)-00	Waste Lines
SWMU	01-002(b)-00	Outfall associated with TA-01 (Located in former TA-45)
SWMU	01-003(a)	Landfill
AOC	01-003(b1)	Surface Disposal Site
AOC	01-003(b2)	Surface Disposal Site
AOC	01-003(c)	Surface Disposal Site
SWMU	01-003(d)	Surface Disposal Site
SWMU	01-003(e)	Surface Disposal Site
SWMU	01-006(a)	Drainline and Outfall

**ATTACHMENT 2**  
**CERIFICATION PAGE**

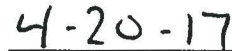


**EXTERNAL CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



**John C. Bretzke**  
Division Leader  
Environmental Protection and Compliance Division  
Los Alamos National Security, LLC



**Date Signed**



**Arturo Q. Duran**  
Permitting and Compliance Manager  
Environmental Management  
Los Alamos Field Office



**Date Signed**