



State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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BUTCH TONGATE
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Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

December 19, 2017

Pete Maggiore,
Acting Chief of Staff Manager
Los Alamos Site Office
Department of Energy
3747 W. Jemez Rd., MS-A316
Los Alamos, NM 87544

Michael T. Brandt
Associate Director
Environment, Safety, Health, & Quality
Los Alamos National Security, LLC
Los Alamos Research Park
P.O. Box 1663, MS K491
Los Alamos, NM 87545

**RE: REQUEST FOR INFORMATION
LOS ALAMOS NATIONAL LABORATORIES
EPA ID# NM0890010515**

Dear Messrs. Maggiore & Brandt:

Pursuant to NMSA 1978, Section 74-4-4.3(A) (2001) of the New Mexico Hazardous Waste Act ("HWA"), the New Mexico Environment Department ("NMED") hereby requests that the United States Department of Energy ("DOE") and Los Alamos National Security, L.L.C. (collectively the Permittees) provide NMED the below-listed information concerning activities associated with the Los Alamos National Laboratory ("LANL") no later than February 1, 2018.

Section 74-4-4.3(A) provides that "[f]or the purposes of developing or assisting in the development of any rules, conducting any study, taking any corrective action or enforcing the provisions of the Hazardous Waste Act, upon request of the secretary or his authorized representative, any person who generates, stores, treats, transports, disposes of or otherwise handles or has handled hazardous wastes shall furnish information relating to such hazardous wastes...."

NMED is conducting a thorough review of manifest discrepancies and discrepancies in waste characterization, which may have resulted in pauses in waste shipments, based upon the following two incidents:

1. The LANL shipment of hazardous waste container W830372 to Veolia ES Technical Solutions, LLC in Colorado on September 29, 2016, as reported to NMED on November 9, 2016. The shipment was received on October 5, 2016, and the manifest was returned to LANL with no discrepancies. LANL

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received notification on November 8, 2016 that the pH of the liquid in the container was verified by the receiving facility to be lower than what was described in the Waste Stream Profile.

2. The LANL shipment of waste container W831217 to Veolia ES Technical Solutions, LLC in Colorado on May 17, 2017, as reported to NMED on June 7, 2017. The shipment was received on May 18, 2017. LANL received notification on June 5, 2017 that the pH of the liquid in one of three containers was measured by the receiving facility to be lower than what was described in the waste stream profile for the three containers.

NMED hereby requests that the Permittees furnish the following information:

1. All documents, including correspondence, related to manifest discrepancies and/or waste characterization discrepancies for LANL for the last three years for all hazardous waste and mixed waste shipments.
2. All documents, including correspondence, related to any pauses in the shipping of any hazardous or mixed waste off-site for the last three years.
3. All documents (e.g. policies, standard operating procedures, memos) related to any DOE or LANS procedural changes due to mischaracterization of waste, manifest discrepancies or pauses in shipments of hazardous waste and mixed waste that have been created within the last three years.

After reviewing the information referenced above, NMED may request additional information specific to the listed items.

Your compliance with this information request is mandatory. You must submit their response to me at the address on the letterhead by February 1, 2018. The Permittees may claim confidentiality for any information required by this information request pursuant to the requirements of Sections 74-4-4.3(D) and (F) of the HWA, and 20.4.1.100 NMAC (incorporating 40 CFR 260.2). Failure to respond fully and truthfully within the time specified herein, or adequately justify such failure to respond, may result in an enforcement action by NMED pursuant to Section 74-4-10 of the HWA.

If you have any questions regarding the information request, please contact me at 505-476-6035, or Janine Kraemer at 505-476-4372. Thank you for your cooperation with this matter.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

JEK:jk

cc: Janine Kraemer, NMED HWB

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