



ESHID-603599

Environmental Protection & Compliance Division
Los Alamos National Laboratory
P.O. Box 1663, MS K491
Los Alamos, New Mexico 87545
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National Nuclear Security Administration
Los Alamos Field Office
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Los Alamos, New Mexico, 87544
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Date: **SEP 28 2020**

Symbol: EPC-DO: 20-294

LA-UR: 20-27238

Locates Action No.: Not applicable

Mr. Kevin Pierard, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Subject: Notification of a Class 1 Permit Modification to the Los Alamos National Laboratory Hazardous Waste Facility Permit, EPA ID# NM0890010515

Dear Mr. Pierard:

This letter notifies the New Mexico Environment Department-Hazardous Waste Bureau (NMED-HWB) of a Class 1 permit modification to the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (the Permit). The Permit authorizes the U.S. Department of Energy (DOE), Triad National Security, LLC (Triad), and Newport News Nuclear BWXT-Los Alamos, LLC (N3B), to manage, store, and treat hazardous waste at LANL. This permit modification provides changes to the Information Repository Section (1.10) in Permit Parts 1-11 of the Permit. The changes include updates to two area newspapers where public notices are published.

Triad and DOE have prepared this permit modification in accordance with Title 40 of the Code of Federal Regulations (40 CFR) §270.42(a)(1). Changes made to the Permit as part of this modification fall under the conditions of Appendix I of 40 CFR §270.42 for Class 1 permit modifications. A full description of the permit modification, rationale for the classification type, proposed changes to Permit Parts 1-11, and a signed certification page are included in Enclosure 1.

Three hard copies and one electronic copy of this submittal will be delivered to the NMED-HWB. The hardcopy submittal contains pages or sections where text has been changed, rather than copies of the entire Permit. The electronic copy, provided only to the NMED-HWB, contains a reproduction of the hardcopy in portable document format (pdf) along with the word processing files used to create the hardcopy.

Notice of this permit modification will be sent to the NMED-HWB maintained LANL facility mailing list in accordance with 40 CFR §270.42(a)(1)(ii) within ninety days of the NMED-HWB incorporating the changes. If you have questions or comments regarding this permit modification, please contact Karen E. Armijo, DOE, at (505) 665-7314, or Patrick L. Padilla, Triad, at (505) 412-0462.

Sincerely,

JENNIFER
PAYNE (Affiliate)

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JENNIFER PAYNE (Affiliate)
Date: 2020.09.25 15:05:54
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Jennifer E. Payne
Division Leader
Environmental Protection and Compliance Division
Triad National Security, LLC

Sincerely,

Karen E.
Armijo

Digitally signed by
Karen E. Armijo
Date: 2020.09.28
10:40:15 -06'00'

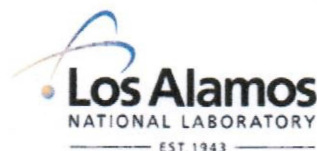
Karen E. Armijo
Permitting and Compliance Program Manager
National Nuclear Security Administration
Los Alamos Field Office
U.S. Department of Energy

JEP/KEA/PLP/AME

Enclosures (s): 1) Class 1 Permit Modification to Update Area Newspapers in the Los Alamos National Laboratory Hazardous Waste Facility Permit

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Document: Class 1 Permit Modification
Date: September 2020

ENCLOSURE 1

**Class 1 Permit Modification to Update Area Newspapers in the
Los Alamos National Laboratory Hazardous Waste Facility
Permit**

EPC-DO-20-294

LA-UR-20-27238

Date: SEP 28 2020

Class 1 Permit Modification to Update Area Newspapers in the Los Alamos National Laboratory Hazardous Waste Facility Permit

This document contains a Class 1 Permit Modification to update the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (Permit). The Permit modifications provided herein have been made by the Department of Energy (DOE) and Triad National Security, LLC (Triad), and are identified using underlined, red text for additions and redline strikeout for deletions.

Attachment 1 of this modification provides a change to a local newspaper because the newspaper currently required has ceased publication, and an update to clarify what version of another newspaper is utilized for publication of public notices. These changes are in Permit Section 1.10 (10) *Information Repository*, in Permit Parts 1-11. A certification page in accordance with the requirements of Title 40 of the Code of Federal Regulations (40 CFR) §270.11 is included as Attachment 2.

BASIS

This permit modification has been drafted in accordance with 40 CFR §270.42 (a)(1) and incorporates updated information that meets the conditions for a Class 1 permit modification without prior approval listed within Appendix I of 40 CFR §270.42. The changes to the Permit meet the conditions specified in 40 CFR §270.42, Appendix I, Item A.1 as administrative changes as there will be no change to the number of newspapers that are used for information repository public notifications, only updates/clarifications to the names of the publications are being incorporated.

Document: Class 1 Permit Modification
Date: September 2020

Attachment 1

Text changes for Permit Part 1

to any request for extension following receipt of the request. If the Department denies the request for extension, it will state the reasons for the denial.

The Permittees shall give notice by e-mail to persons on the e-mail notification list of all Department approved extensions of time in accordance with Permit Section 1.13.

1.9.20 Confidential Information

The Permittees may claim that any information required by this Permit or otherwise submitted to the Department is confidential pursuant to the provisions of §§ 74-4-4.3(D) and (F) of the HWA and 40 CFR §§ 260.2 and 270.12.

1.9.21 New or Modified Permitted Units

The Permittees may not treat or store hazardous waste at a new permitted unit or in a modified portion of an existing permitted unit except as provided in 40 CFR § 270.42 until the Permittees have complied with the requirements of 40 CFR §§ 270.30(1)(2)(i) and (ii).

1.10 INFORMATION REPOSITORY

The Permittees shall establish both an electronic Information Repository (IR) accessible through the internet on the Permittees' environmental web site and a physical IR containing paper documents. (See 40 CFR § 124.33(d))

The Permittees shall ensure that the electronic and physical IRs contain, unless specified otherwise, the following documents:

- (1) The Permittees' Part A and Part B Permit Applications associated with the permit renewal;
- (2) A link to this Permit as it appears on the Department's website (electronic IR only);
- (3) Permit modification requests associated with this Permit submitted pursuant to 40 CFR § 270.42 and any associated Department responses;
- (4) The Waste Minimization Report submitted pursuant to Permit Section 2.9;
- (5) The Biennial Report submitted pursuant to Permit Section 2.12.5;
- (6) Corrective action documents submitted pursuant to Permit Part 11;
- (7) Notices of deficiency or disapproval (NODs), NOD responses, final approval letters, and Department directions associated with the documents identified in Paragraphs 1, 3 and 6, above; and
- (8) Notices of violation (NOV), administrative compliance orders, responses required by the Department, and Department directions associated with this Permit.

(See 40 CFR § 124.33(c))

Within 180 days of the effective date of this Permit, the Permittees shall establish the electronic IR, and inform the Department of the location, nature, and normal business hours of the physical IR. (See 40 CFR §§124.33 and 270.30(m))

The Permittees shall add new documents to the IR within ten days after the documents are submitted to, or received from, the Department. (See 40 CFR § 124.33(f))

The Permittees shall inform the public of the existence of each IR by the following methods:

- (9) written notice to all individuals on the facility mailing list 30 days after the IR becomes operational;
- (10) public notice in area newspapers, including the *Santa Fe New Mexican*, the *Journal North - Albuquerque Journal*, the *Rio Grande Sun*, the *Taos News*, and the *Los Alamos Daily PostMonitor* when the IR becomes operational;
- (11) continuous notice on the Permittees' environmental home page of the existence of the IRs; and
- (12) in the public notice for any of the Permittees' requested permit modifications.

(See 40 CFR § 124.33(e))

The Permittees shall ensure that the electronic IR includes an electronic index of the documents contained in the IR that identifies each document by title, publication date, author, and any identification number, such as a Los Alamos Unrestricted Release (LAUR) number. The Permittees shall ensure that all documents maintained in the electronic IR are searchable by title, date, author, identification number, and individual words and phrases, and that all such documents are printable.

The Permittees shall conduct annual training to inform inexperienced computer users of how they can access and utilize the electronic IR. The Permittees shall inform the public of this training 30 days prior to the training by methods specified in Permit Section 1.10(9) through (11). The Permittees shall document the training content and all efforts to inform the public in the Facility Operating Record.

1.10.1 PUBLIC ENVIRONMENTAL DATABASE

The Permittees shall provide data from environmental media (*i.e.*, soil, sediment, surface water, groundwater, air and biota) collected under this Permit and incorporated into LANL databases to the public database through updates on a no less than monthly basis.

Document: Class 1 Permit Modification
Date: September 2020

Attachment 2

Certification

CERTIFICATION

CERTIFICATION STATEMENT OF AUTHORIZATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to 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.

**JENNIFER
PAYNE
(Affiliate)** Digitally signed by
JENNIFER PAYNE
(Affiliate)
Date: 2020.09.25
15:06:30 -06'00'

Jennifer E. Payne
Division Leader
Environmental Protection and Compliance Division
Triad National Security, LLC

Date Signed

Karen E. Armijo Digitally signed by Karen E.
Armijo
Date: 2020.09.28 10:40:53 -06'00'

Karen E. Armijo
Permitting and Compliance Program Manager
National Nuclear Security Administration
Los Alamos Field Office
U.S. Department of Energy

Date Signed