

**Certified Mail - Return Receipt Requested**

March 3, 2023

Ted Wyka, Manager  
National Nuclear Security AdministrationLos Alamos Field Office  
3747 West Jemez Road, A 316  
Los Alamos, NM 87544Jennifer Payne, Division Leader  
Environmental Protection and Compliance  
DivisionTriad National Security, LLC  
Los Alamos National Laboratory  
P.O. Box 1663, MS-K491  
Los Alamos, NM 87545**RE: EMERGENCY AUTHORIZATION TO DESTROY UNSTABLE HAZARDOUS WASTE  
EMERGENCY PERMIT 2023-01  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID# NM0890010515**

Dear Ted Wyka and Jennifer Payne:

The New Mexico Environment Department ("NMED") authorizes Los Alamos National Laboratory ("LANL") Emergency Response team to destroy unstable hazardous waste that LANL determined posed an imminent and substantial health and safety risk. The waste covered by this authorization was identified in the Emergency Permit Application submitted by LANL on March 2, 2023. The waste consists of three chemical containers that were identified in adjacent locations at Technical Area (TA) 03, Building 1698, and TA 03, Building 1819 and were determined to have hazardous concentrations of peroxides: tetrahydrofuran (peroxide levels >1000 parts per million [ppm]), benzyl ether (peroxide levels >200 ppm), and cyclopentene (peroxide levels > 200ppm).

LANL Environmental Management-Operational Safety (EM-OPS) personnel have determined the unstable chemicals/containers are shock sensitive and pose an imminent and substantial endangerment to human health and the environment and have determined that there is no safe or viable path forward to dispose of the three containers of concern outside of destruction on-site using a total containment vessel, given their current state and their inherent properties that make them shock sensitive.

Emergency destruction of waste materials is allowed when performed in accordance with 20.4.1.900 NMAC, incorporating 40 CFR § 270.1(c)(3), under an emergency permit issued by NMED in accordance with 20.4.1.900 NMAC incorporating 40 CFR § 270.61. LANL must properly dispose of any hazardous residues that remain after the destruction. LANL must also submit a report to NMED detailing the specific activities conducted to render this waste inert under this emergency permit within five days after the emergency activity is completed, or no later than March 8, 2023.

U2300325

Ted Wyka and Jennifer Payne  
March 3, 2023  
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Should you have any questions, please contact Stephen Connolly, Incident Response Coordinator at 505-470-8495.

Sincerely,

**Rick Shean**

Digitally signed by Rick  
Shean  
Date: 2023.03.03 14:15:05  
-07'00'

Rick Shean  
Director  
Resource Protection Division

RS: spc

cc:

Dave Cobrain, NMED-HWB, Santa Fe, NM, [dave.cobrain@env.nm.gov](mailto:dave.cobrain@env.nm.gov)  
Neelam Dhawan, NMED HWB, [neelam.dhawan@env.nm.gov](mailto:neelam.dhawan@env.nm.gov)  
Siona Briley, NMED HWB, [siona.briley@env.nm.gov](mailto:siona.briley@env.nm.gov)  
Stephen Connolly, NMED HWB, [stephen.connolly@env.nm.gov](mailto:stephen.connolly@env.nm.gov)  
Karen Armijo, NNSA, [karen.armijo@nnsa.doe.gov](mailto:karen.armijo@nnsa.doe.gov)  
Robert Gallego, NNSA, [robert.gallegos@nnsa.doe.gov](mailto:robert.gallegos@nnsa.doe.gov)  
Jennifer E. Payne, Triad, EPC-DO, [jpayne@lanl.gov](mailto:jpayne@lanl.gov)  
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File: 2023, LANL, Emergency Permit

U2300325

**From:** [Martinez, Cynthia, ENV](#)  
**To:** [Wyka, Ted](#); [Payne, Jen](#)  
**Cc:** [Shean, Rick, ENV](#); [Cobrain, Dave, ENV](#); [Dhawan, Neelam, ENV](#); [Briley, Siona, ENV](#); [Connolly, Stephen, ENV](#); [Armijo, Karen](#); [Gallegos, Robert Alan](#); [Moseley, Jessica Lee](#); [Padilla, Patrick L](#); [Martinez, Angela Madeline](#); [adesh-records@lanl.gov](mailto:adesh-records@lanl.gov); [locatsteam](#); [epc-correspondence@lanl.gov](mailto:epc-correspondence@lanl.gov)  
**Subject:** [EXTERNAL] Emergency authorization to destroy unstable hazardous waste  
**Date:** Monday, March 6, 2023 12:53:38 PM  
**Attachments:** [2023-3-3 LANL Approval Letter for ER permit 2023-01.pdf](#)

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Good afternoon,  
Please see attached.

Cynthia Martinez  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Bldg.1  
Santa Fe, New Mexico  
505-476-6000

U2300325



**New Mexico  
Environment Department  
Hazardous Waste Bureau**

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

3/3/2023

Invoice # - HWB-LANL-23-010

Emergency Permit, hazardous concentrations of peroxides: tetrahydrofuran (peroxide levels >1000 parts per million [ppm]), benzyl ether (peroxide levels >200 ppm), and cyclopentene (peroxide levels > 200ppm)

Quantity	Item	Item Cost	Total Cost
1	Emergency Permit	\$1,000.00	\$1,000.00
		<b>Total Fees</b>	\$1,000.00
		<b>Adjustment</b>	\$0.00
		<b>Pay This Amount</b>	<b>\$1,000.00</b>

**Make Checks Payable to: NMED/HWB**

**Mail Checks and Invoice to:**

**New Mexico Environment Department, HWB  
Attn: Bureau Financial Manager  
2905 Rodeo Park Drive East, Bldg 1  
Santa Fe, NM 87505**

When you provide a check as payment, you authorize the State of New Mexico to either use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.