



ESHID-603799

MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 30, 2023

Theodore A. Wyka, Manager
National Security Administration
Los Alamos National Laboratory
3747 West Jemez Road, A 316
Los Alamos, NM 87544

Jeannette Hyatt, Senior Division Leader
Environment and Waste Programs
Triad National Security, LLC
P.O. Box 1663, MS M969
Los Alamos, NM 87545

**RE: ADMINISTRATIVELY COMPLETE DETERMINATION
CLASS 2 PERMIT MODIFICATION FOR THE ADDITION OF NEW HAZARDOUS WASTE
MANAGEMENT UNIT AT TECHNICAL AREA 60
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-23-014**

Dear Theodore Wyka and Jeannette Hyatt:

On March 13, 2023, the New Mexico Environment Department (NMED) received the United States Department of Energy (DOE), Triad National Security (Triad), LLC, and Newport News Nuclear BWXT-Los Alamos, LLC (N3B) (collectively referred to as the Permittees) *Request for Class 2 Permit Modification for the Addition of New Hazardous Waste Management Unit at Technical Area 60* (Request) referenced by EPC-DO-23-086/LA-UR-23-21636. The Request is made in accordance with 40 Code of Federal Regulations (CFR) 270.42, Appendix I, Item F.1.b to add storage and F.1.c to add treatment by macroencapsulation. The Request will result in an increased storage capacity of no greater than 0.3 percent for the Facility and meets the technical requirements for a Class 2 Permit Modification Request.

On March 15, 2023, NMED identified a typographical error, and subsequently, a revised Permit Attachment B was provided on April 11, 2023. On April 12, 2023, NMED notified the Permittees via email of additional waste code processing errors in the revised Permit Attachment B, Part A Form. On May 18, 2023, the Permittees submitted *Second Correction to Attachment 1 Part A Application Form for the Class 2 Permit Modification to the Los Alamos National Laboratory Hazardous Waste Facility Permit* referenced by EPC-DO-23-155/LA-UR-23-24574 (Second Correction).

On June 28, 2023, NMED accepted the *Second Correction to Attachment 1 Part A Application Form for the Class 2 Permit Modification to the Los Alamos National Laboratory Hazardous Waste Facility Permit*. However, the Request was deemed administratively incomplete because insufficient information was provided on potential for seismic hazards.

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Hazardous Waste Bureau - 2905 Rodeo Park Drive, Bldg. 1, Santa Fe, New Mexico 87505 - (505) 476-6000
www.env.nm.gov

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On August 3, 2023, NMED met with the Permittee to discuss administrative issues with the seismic hazard in accordance with 40 CFR 270.14(b)(11)(ii)(B). On September 18, 2023, NMED met with the Permittees and Dr. Shari Kelley from the NM Bureau of Geology and Mineral Resources to evaluate the risk associated with possible seismic hazards within the 200 ft buffer of Technical Area (TA) 60-0017.

On October 23, 2023, the Permittees provided a *Response to Administratively Incomplete Determination on Class 2 Permit Modification for the Addition of a New Hazardous Waste Management Unit at Technical Area 60* (Response). NMED has reviewed this response and has no additional concerns at this time.

NMED has reviewed the Request, Second Correction, and Response and has determined that the Request is administratively complete in accordance with 20.4.1.900 NMAC, incorporating 40 Code of Federal Regulations (CFR) 270. If new information becomes available that indicates that the storage or treatment of hazardous waste at TA 60-0017 may pose an unacceptable risk to human health or the environment due to seismic hazards, NMED may modify the Permit or may require additional investigations and/or corrective action at this site.

If you have any questions regarding this letter, please contact Siona Briley of my staff at (505) 690-5160 or via email at siona.briley@env.nm.gov.

Sincerely,

Ricardo Maestas Digitally signed by Ricardo Maestas
Date: 2023.10.30 14:25:57 -06'00'

Ricardo Maestas
Acting Chief
Hazardous Waste Bureau

Cc: N. Dhawan, NMED HWB
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File: 2023 LANL, Permit, Administratively Complete Determination Class 2 Permit Modification for the Addition of New Hazardous Waste Management Unit at Technical Area 60
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