



DEPARTMENT OF ENERGY
National Nuclear Security Administration
Los Alamos Site Office
Los Alamos, New Mexico 87544



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

DEC 18 2012

Dear Mr. Kieling:

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

The purpose of this letter is to request approval by the New Mexico Environment Department-Hazardous Waste Bureau (NMED-HWB) for a Class 1 Permit Modification (requiring prior approval by the NMED-HWB) to the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (Permit) issued to the Department of Energy and Los Alamos National Security, LLC (DOE/LANS) in November, 2010. DOE/LANS, collectively known as the Permittees, request to revise Table K-1 of Attachment K, *Listing of SWMUs (Solid Waste Management Units) and AOCs (Areas of Concern)* to identify SWMU-32-002(b) as two sites: SWMUs 32-002(b1) and 32-002(b2). Under this proposed revision, that portion of the current site located on property owned by the Los Alamos School Board (LASB) would be designated as SWMU 32-002(b1) and the portion of the current site located on property owned by DOE would be designated as SWMU 32-002(b2).

The proposed modification is requested to allow the Permittees to expedite the request of a certification of completion for the LASB owned portion of SWMU-32-002(b), thereby assisting Los Alamos County (LAC) in their efforts to develop former Technical Area 32 (TA-32) for commercial use. SWMU 32-002(b) is part of the Upper Los Alamos Canyon Aggregate Area. The Upper Los Alamos Canyon Aggregate Area Investigation Report, which will document completion of corrective actions in the aggregate area, is due to the NMED-HWB by February 28, 2014. In order to facilitate commercial development of this site by LAC, certificates of completion for the SWMUs and AOCs in former TA-32 must be obtained well in advance of this date.

The Permittees have performed the work needed to complete corrective actions at all sites in the aggregate area except for the portion of SWMU 32-002(b) located on DOE property. This includes corrective actions completed for the portion of SWMU 32-002(b) located on LASB property. As shown in the figures included in Attachment 2 of the enclosure, the boundary of the existing site (Figure 1) is identical to the combined boundaries of the two new sites (Figure 2). Corrective actions for the DOE portion [SWMU 32-002(b2)] will continue to be subject to the provisions of the 2005 LANL Compliance Order of Consent. Therefore, the proposed modification will continue to ensure that all potential contamination associated with the site is addressed and would not reduce the protection of public health and the environment.

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(a)], 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, Subpart A, Item 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, text edits of Table K-1 (Attachment 1 of the enclosure) and figures depicting the specific change to the SWMU boundary. Accordingly, a signed certification page is also included (Attachment 3 of the enclosure). 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 Gene Turner of my staff at (505) 667-5794 or Mark Haagenstad, LANS, at (505) 665-2014.


For Kevin W. Smith
Manager

Enclosure

cc w/enclosure:

Laurie King, Chief (6PD-N)
New Mexico/Federal Facilities Section
Environmental Protection Agency
Region 6 1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

cc w/out enclosure:

Dave Cobrain
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

P. Maggiore, EPO, LASO
G. Turner, EPO, LASO
C. Beard, PADOPS, LANS, MS-A102
M. Brandt, ADESH, LANS, MS-K491
A. Dorries, ENV-DO, LANS, MS-K491
V. George, REG-DO, LANS, MS-J496
M. Haagenstad, ENV-RCRA, LANS, MS-K404
Records Center, LASO
Official Contract File, LASO

EPO-32EW-414-486301

ENCLOSURE 1

**Class 1 Permit Modification to the Los Alamos National Laboratory
Hazardous Waste Facility Permit**

December 2012

LA-UR-12-26978

Date: DEC 18 2012

Permit Modification Request

Introduction

The following submittal has been prepared by the U.S. Department of Energy and Los Alamos National Security, LLC (collectively the Permittees) to request a modification to the November 2010 Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (Permit). This modification has been prepared as a Class 1 permit modification requiring prior approval by the New Mexico Environment Department-Hazardous Waste Bureau (NMED-HWB) (also known as a Class 1* permit modification) as described in 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 (a)]. LANL's Environmental Protection Agency (EPA) identification number is EPA ID No. NM0890010515.

The permit modification includes revisions to Table K-1, *SWMUs (Solid Waste Management Units) and AOCs (Areas of Concern) Requiring Corrective Action*, which is included in Permit Attachment K, *Listings of SWMUs and AOCs*. The following summary describes the proposed modification and rationale behind the modification and contains a revised version of the relevant page of Table K-1 incorporating the modification (Attachment 1). The Permittees request that the revised Table K-1 be included in the Permit by the NMED-HWB upon approval of this permit modification request.

Proposed Permit Modification Summary

SWMU 32-002(b) is currently listed in Table K-1 of Attachment K to the Permit. The Permittees propose to split this site into two sites that will be identified as SWMUs 32-002(b1) and 32-002(b2). The former consists of that portion of the existing site located on property owned by Los Alamos Schools Board (LASB) and the latter consists of that portion of the existing site located on property owned by the U.S. Department of Energy (DOE). These changes are shown in Attachment 1, to this document.

Rationale for Proposed Modification

SWMU 32-002(b) is located at former Technical Area 32 (TA-32) in the Los Alamos townsite on property owned by LASB and DOE. The LASB-owned portion of former TA-32 is currently being developed for commercial use by Los Alamos County (LAC) as part of their economic development program.

There are two SWMUs [32-002(a) and 32-002(b)] and two AOCs [32-003 and 32-004] in former TA-32 that are subject to corrective action under the March 1, 2005 Compliance Order on Consent (Consent Order) and identified in Table K-1. One additional SWMU, 32-001, is listed in Table K-1 but has previously received a certificate of completion from the NMED-HWB. In order to facilitate development of the site by LAC, the Permittees have expedited corrective actions at former TA-32 so that certificates of completion for the remaining four sites may be requested. Corrective actions are complete for the two AOCs [32-003 and 32-004] and one of the SWMUs [32-002(a)].

In the instance of the final SWMU [32-002(b)] corrective actions are complete on the portion of the site owned by LASB (hereafter referred to as 32-002(b1)), but additional actions are needed on the portion of the site owned by DOE (hereafter referred to as 32-002(b2)). Corrective actions on the DOE-owned portion cannot be completed on a schedule consistent with LAC's development schedule. Because the SWMU is identified as a single site in Table K-1, corrective actions for the entire site must be completed before a certificate of completion can be requested. To facilitate LAC's schedule, the Permittees are proposing to modify Table K-1 to identify the LASB-owned and DOE-owned portions of the SWMU as separate sites. This modification will allow the Permittees to request a certificate of completion for the LASB-owned portion of the site prior to completion of corrective actions on the DOE-owned portion to allow commercial use development on the portion of the site for which correction action is complete.

Attachment 1

**Proposed Redline-Strikeout Revisions to the Los Alamos National Laboratory
Hazardous Waste Facility Permit**

Table K-1

SWMUs and AOC Requiring Corrective Action

SWMU/AOC	Unit #	Unit Type
TA-22		
SWMU	22-010(a)	Septic system
SWMU	22-010(b)	Septic system
SWMU	22-011	Disposal pit
SWMU	22-012	Decontamination pad
SWMU	22-014(a)	Sump System
SWMU	22-014(b)	Sump System
SWMU	22-015(a)	Drainlines and Dry Wells
SWMU	22-015(b)	Sump and outfall
SWMU	22-015(c)	Outfall from Building 22-52
SWMU	22-015(d)	Drainline and outfall associated with Building 22-1
SWMU	22-015(e)	Sump
SWMU	22-016	Septic system
TA-26		
SWMU	26-001	Surface disposal site
SWMU	26-002(a)	Soil contamination from former acid sump system
SWMU	26-002(b)	Drainline associated with Vault 26-1
SWMU	26-003	Septic tank
TA-27		
SWMU	27-002	Firing sites
SWMU	27-003	Bazooka impact area (Same as AOC 36-009)
TA-31		
SWMU	31-001	Soil Contamination from former Septic Tank
TA-32		
SWMU	32-001	Soil contamination from former Incinerator
SWMU	32-002(a)	Soil contamination from former septic tank
SWMU	32-002(b1)	Soil contamination from former septic tank
SWMU	32-002(b2)	Soil contamination from former septic tank
SWMU	32-003	Former Transformer Station
SWMU	32-004	Drainline and outfall from former Building 32-3
TA-33		
SWMU	33-001(a)	Disposal Pit (MDA E)
SWMU	33-001(b)	Disposal Pit (MDA E)
SWMU	33-001(c)	Disposal Pit (MDA E)
SWMU	33-001(d)	Disposal Pit (MDA E)
SWMU	33-001(e)	Soil contamination from underground chamber and shaft (MDA E)
SWMU	33-002(a)	Septic System (MDA K)
SWMU	33-002(b)	Sump (MDA K)
SWMU	33-002(c)	Sump (MDA K)
SWMU	33-002(d)	Drainline and outfall from former Building 33-86 (MDA K)
SWMU	33-002(e)	Drainline and outfall from former Building 33-86 (MDA K)
SWMU	33-003(a)	Soil contamination from former underground chamber and shaft (MDA D)

Attachment 2

**Figures Illustrating Proposed Boundaries of Solid Waste Management Units at Former
Technical Area 32**

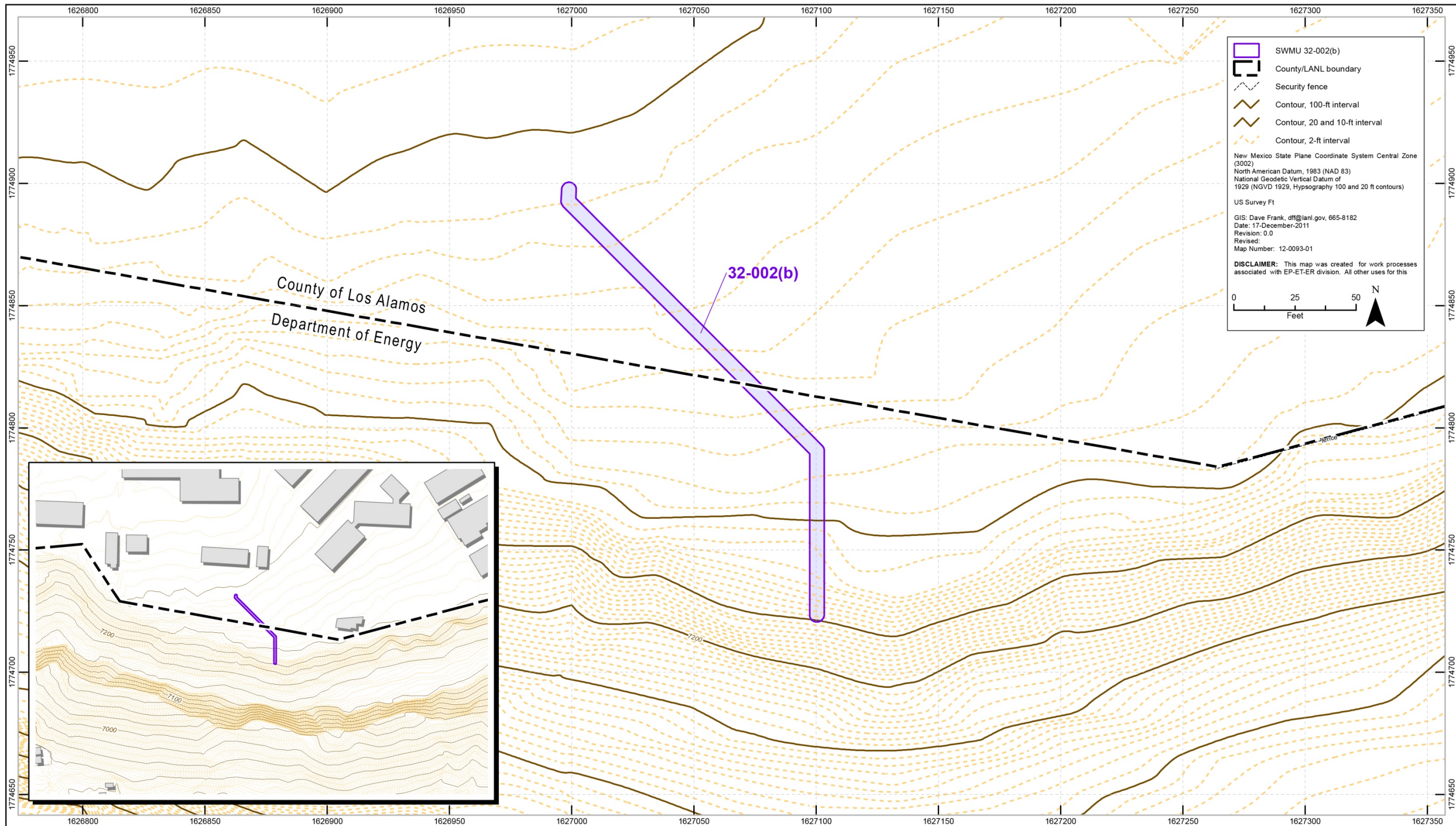


Figure 1 Current boundary of SWMU 32-002(b)

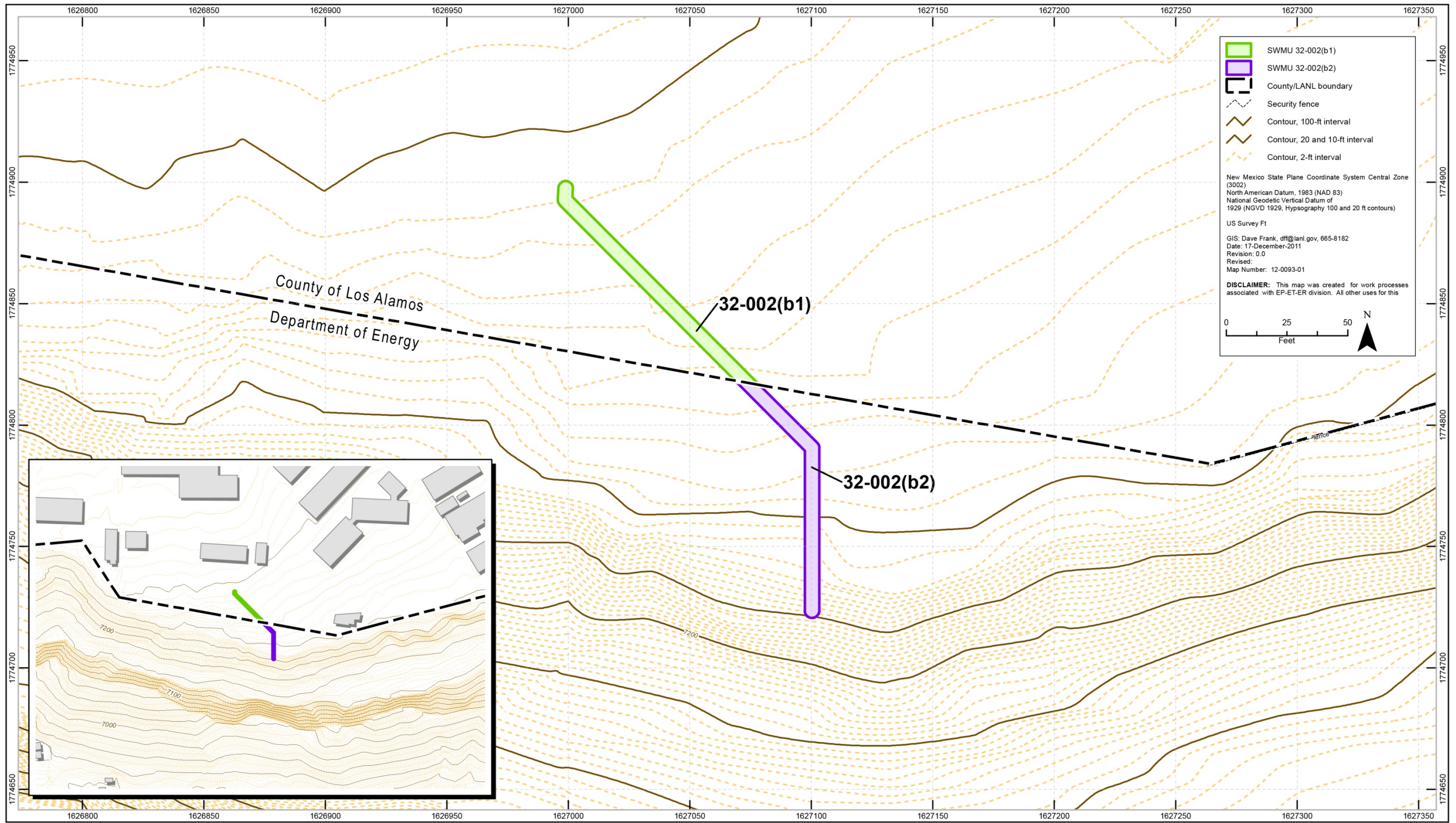


Figure 2 Proposed boundaries of SMWUs 32-002(b1) and 32-002(b2)

Attachment 3

Certification


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Document: Table K-1 Class 1 Permit Modification

Date: December 2012

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.



Alison M. Dorries
Division Leader
Environmental Protection Division
Los Alamos National Laboratory
Operator

Date Signed

12/18/12



Kevin W. Smith
Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
Owner/Operator

Date Signed

12/18/12