ERID-525200
EP2014-5342

NEW MEXICO
ENVIRONMENT DEPARTMENT

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Lieutenant Governor

RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 23, 2014

Mr. Gian Bacigalupa
Los Alamos National Laboratory
Los Alamos, NM

**SUBJECT: EMERGENCY AUTHORIZATION TO DESTROY UNSTABLE HAZARDOUS WASTE
LOS ALAMOS NATIONAL LABORATORY, EPA ID# NM0890010515**

Dear Mr. Bacigalupa,

The New Mexico Environment Department (NMED) hereby authorizes Los Alamos National Laboratory (LANL) Emergency Management and Response (EM&R) personnel to destroy unstable hazardous waste that LANL has determined poses an imminent and substantial health and safety risk. The waste covered by this authorization is identified in correspondence from LANL on September 23, 2014, and consists of the following:

- Three cans of nitrocellulose film in standard metal film containers from archival storage that have deteriorated and are potentially unstable

NMED understands that LANL will utilize a Total Containment Unit to treat the waste today by detonation at TA-49.

Emergency destruction of waste materials is allowed when performed in accordance with 20.4.1.900, 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. While operating under this authorization, LANL must take all necessary safety precautions and comply with all applicable requirements of 40 CFR part 264, subparts C and D in accordance with 20.4.1.500 NMAC incorporating 40 CFR § 264.1(g)(8)(ii). This authorization is valid only through 5:00 p.m., September 25, 2014.

LANL must properly dispose of any hazardous residues that remain after the destruction. LANL must also submit a report to NMED detailing the activities conducted under this emergency permit within seven days after the emergency activity was completed, or no later than September 30, 2014.

Sincerely,

John E. Kieling
Chief
Hazardous Waste Bureau

JEK:rh

cc: Steve Pullen, NMED HWB
David Cobrain, NMED HWB
Ruth Horowitz, NMED HWB

file: Library #2390

From: Pullen, Steve, NMENV <steve.pullen@state.nm.us>
Sent: Tuesday, September 23, 2014 2:41 PM
To: Bacigalupa, Gian A
Cc: Kieling, John, NMENV; Horowitz, Ruth, NMENV; Haagenstad, Mark P; Vigil-Holterman, Luciana R
Subject: RE: Request for Emergency Permit
Attachments: LANL Emergency Permit - September 23, 2014.pdf

Gian,

Find attached the requested emergency permit (EP); the hard copy will come in the mail. Please adhere to all directives in the EP and call me if you have any questions. Please provide the resultant report to me.

Best,

Steve

From: Bacigalupa, Gian A [mailto:gian@lanl.gov]
Sent: Tuesday, September 23, 2014 1:25 PM
To: Pullen, Steve, NMENV
Cc: Grieggs, Tony; Haagenstad, Mark P; Dorries, Alison Marie; Ahlquist, Matthew Edward; Turner, Gene E
Subject: Request for Emergency Permit

Steve,

This request is to follow-up with our earlier telephone conversation. The Laboratory is requesting approval to conduct an emergency operation under 40 CFR 270.61, "Emergency permits." The basis is we have determined that the waste to be treated represents an imminent and substantial endangerment to human health as required by the regulation.

The waste material is three cans of film in standard metal film containers from archival storage that have deteriorated and are potentially unstable. The LANL Emergency Response organization has determined that the nitrocellulose film is unsafe and too unstable to open the cans. Based on this, the waste will be characterized with a D003 EPA Hazardous Waste Number. We propose to detonate the film in the cans at the Technical Area 49 firing point. The detonation will be initiated with a small amount of high explosives (on the order of several ounces) to start sufficient heat or fire in the film cans to consume the film material. If the detonation is not effective, it will be repeated with additional high explosive. The residuals from the treatment are anticipated to be only the metal cans, which will be disposed of appropriately or recycled. The potential treatment was reviewed by LANL Air Quality representatives and is not a concern for air emissions.

Staging for the treatment will start about 9:00am, tomorrow, September 24, 2014. The treatment is anticipated to occur about 10:00am, subject to your approval. A written follow-up report on the treatment will be submitted to your office with further details of the event. The report will also be included in the LANL Electronic Public Reading Room located at eprr.lanl.gov.

If you have further questions or need to contact me, I will be available at 667-1579 until about 3:30pm this afternoon. I will be delivering a document to your office about 4:30 pm or you can contact Luciana Vigil-Holterman, 665-3435, luciana@lanl.gov, or Mark Haagenstad, 665-2014, mph@lanl.gov, after 3:30pm.

Thank you,
Gian Bacigalupa
ENV-CP
Los Alamos National Laboratory
667-1579