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**MAIL CERTIFIED**

November 21, 2024

Robert Gallegos, Program Manager  
Department of Energy-NNSA  
Los Alamos Field Office  
3747 West Jemez Rd, MS A316  
Los Alamos, NM 87544

Steven Story, Division Leader  
Environmental Protection and Compliance  
Triad National Security, L.L.C.  
P.O. Box 1663, MS K491  
Los Alamos, NM 87545

**RE: APPROVAL  
LOS ALAMOS NATIONAL LABORATORY CLOSURE CERTIFICATION REPORT FOR OPEN  
BURNING TREATMENT UNIT TECHNICAL AREA 16-399 BURN TRAY, REVISION 1  
LOS ALAMOS NATIONAL LABORATORY  
EPA ID#NM0890010515  
HWB-LANL-24-043**

Dear Robert Gallegos and Steven Story:

On August 23, 2024, 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) *Los Alamos National Laboratory Closure Certification Report for Open Burning Treatment Unit Technical Area 16-399 Burn Tray, Revision 1* (Closure Report) referenced by EPC-DO-24-223/LA-UR-24-28822.

Regulatory History

The TA-16-399 Burn Tray, Solid Waste Management Unit (SWMU) 16-010(d), was initially sampled in 2010-2013 as part of early closure activities. Additional sampling was conducted from February 2019, through September 2019, in accordance with the original Closure Plan issued on January 17, 2019. On February 20, 2020, the Permittees submitted the *Los Alamos National Laboratory Closure Certification Report for Open Burning Treatment Unit Technical Area 16-399 Burn Tray*. On November 18, 2020, NMED issued a *Disapproval Closure Certification Report for Technical Area 16-399 Open Burn Unit Los Alamos National Laboratory*, which required revisions to the risk calculations to include earlier sampling results for polychlorinated biphenyls (PCBs).

The risk assessments were revised to incorporate NMED disapproval comments in the DOE *Response to the Disapproval Closure Certification Report for Technical Area 16-399 Open Burn Unit*. NMED issued a second disapproval letter that discussed the need to decrease the risk to meet the required screening levels for residential use scenario for a clean closure. It was determined that further soil removal and sampling was needed to achieve clean closure and on

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July 21, 2021, the Permittees submitted the *Response to Second Notice of Disapproval Closure Certification Report and Proposed Actions for Technical Area 16-399 Open Burn Unit, Los Alamos National Laboratory*.

On June 7, 2022, the Permittees requested a Class 2 permit modification to amend the Closure Plan in accordance with 40 Code of Federal Regulation (CFR) § 270.42 Appendix I, Item D.1.e. A public meeting was held on July 12, 2022, and following a 60-day public comment period, NMED issued an approval with modification on September 6, 2022. NMED approved and modified the amended Closure Plan to address public concerns and comments regarding perfluoroalkyl compounds (PFAS). Between March 2023 and February 2024, the Permittees requested and received three (3) extensions of time to complete clean closure of this unit.

### **Background Information**

**SWMU 16-010(d)** was a former open burn (OB) tray that was used for the thermal treatment of high explosive (HE) wastes. The unit was an interim status unit, following the provisions in the 40 CFR Part 265, Subpart P. The unit was used for the thermal treatment of bulk explosives waste stream to destroy the characteristic of reactivity from the 1950s through 2012. The TA-16-399 Burn Tray was comprised of a 4-foot wide by 16-foot long steel tray supported by 1.5-foot high legs and was lined with firebricks. The maximum treatment capacity of the TA-16-399 Burn Tray was 1,000 pounds (lbs.) of waste per burn, however, records from 1980-2012 indicate that the maximum volume of HE-contaminated waste treated per treatment event was 350 lbs. Due to the lack of treatment records from 1951-1980, the total maximum volume of waste treated is not known but the Permittees estimate that the unit thermally treated 255,685 lbs. of HE-contaminated waste.

The Permittees began closure activities in 2019 by removing the burn tray, fire brick, and concrete pad from the TA-16-399 Burn Tray. High explosives spot tests were used to determine if the material was not explosives-contaminated before releasing the material for disposition. Prior to shipment for offsite disposal, the materials required treatment for explosives contamination at the nearby TA-16-388 Flash Pad. From 2019 to 2023, the Permittees excavated and removed approximately 17,500 cubic feet of contaminated soil.

Based on the information provided for SWMU 16-010(d), the site does not pose an unacceptable risk to the environment or to human health under the residential, industrial, and construction worker land use scenarios. The proposed future land use is industrial, and the site is located near interim status open burning unit, TA-16-388, which remains in active operation. The site is located within the access restricted, fenced portion of the laboratory due to active facility operations at TA-16.

**NMED hereby approves the Closure Certification Report for Open Burning Treatment Unit Technical Area 16-399 Burn Tray, also known as SWMU 16-010(d), and finds that the site meets the clean closure standards outlined in the closure plan.**

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This closure certification does not take into consideration the potential for future contamination of the site resulting from operations at nearby interim status open burning unit, TA-16-388. NMED may require additional investigations and/or corrective actions if new information becomes available that indicates SWMU 16-010(d) may pose an unacceptable risk to human health or the environment.

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](mailto:Siona.Briley@env.nm.gov) .

Sincerely,

JohnDavid Nance  Digitally signed by JohnDavid Nance  
Date: 2024.11.21 15:06:28 -07'00'

JohnDavid Nance  
Chief, Hazardous Waste Bureau  
New Mexico Environment Department

CC:

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File: 2024 LANL, TA-16, Approval, Los Alamos National Laboratory Closure Certification Report for Open Burning Treatment Unit Technical Area 16-399 Burn Tray, Revision 1  
LANL-24-043

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**Subject:** [EXTERNAL] Approval letter to Robert Gallegos and Steven Story  
**Date:** Thursday, November 21, 2024 3:21:57 PM  
**Attachments:** [Approval\\_Closure Certification Report for OB Treatment Unit TA 16-399 Burn Tray Revision 1 LANL 24-043.pdf](#)

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Good afternoon,  
Please see attachment.

Cynthia Martinez  
New Mexico Environment Department  
Hazardous Waste Bureau  
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Santa Fe, New Mexico  
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