



ESHID-602947

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*Date:* **MAR 22 2018**  
*Symbol:* ADESH: 18-016  
*LA-UR:* 18-21189  
*Locates Action No.:* N/A

Mr. Nicholas J. Lombardo, Program Manager  
Newport News Nuclear BWXT-Los Alamos, LLC  
600 Sixth Street  
Los Alamos, NM 87544

**Subject: Notification of Hazardous Waste Facility Permit and Other Hazardous Waste Management Requirements**

Dear Mr. Lombardo:

This letter serves to notify Newport News Nuclear BWXT-Los Alamos, LLC (N3B) of the requirements of the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit NM 0890010515 (Permit) issued by New Mexico Environment Department (NMED) to the U.S. Department of Energy (DOE) and the Los Alamos National Security, LLC (LANS) for the treatment and storage of hazardous waste at the LANL. The Permit was issued pursuant to the New Mexico Hazardous Waste Act, NMSA 1978 §§74-4-4.2 and the New Mexico Hazardous Waste Management Regulations, 20.4.1.300, .500, .600 and .900 NMAC (incorporating 40 CFR Parts 262, 264, 265 and 270). Permit Section 1.9.3 requires DOE and LANS to notify the new co-operator of all applicable permit requirements prior to transfer of operational responsibilities. Effective April 30, 2018, N3B will replace LANS as a new co-operator under the Permit for specifically designated hazardous waste management units located at TA-54, Areas G, H, and L.

As required by Permit Condition 1.9.3, the following outlines the applicable requirements of the Permit:

**Permit Program Requirements**

20.4.1.900 NMAC (incorporating 40 CFR Part 270) details requirements for obtaining, modifying and renewing different types of hazardous waste permits. This Part outlines procedures for permit



applications, permit conditions, changes to permits, expiration and continuation of permits, special forms of permits, interim status, and remedial action plans. LANL is a permitted and interim status facility that manages hazardous wastes, which include radioactive mixed wastes, as is subject to these requirements.

#### Permitted Facility Standards

20.4.1.500 NMAC (incorporating 40 CFR Part 264) describes facility standards applicable to owners and operators of permitted hazardous waste treatment, storage, and disposal facilities. The Permit authorizes the storage and treatment of hazardous waste and incorporates these standards. General facility standards are addressed in Permit Part 2 and include requirements for design and operation of the facility; authorized wastes; land disposal restrictions; waste analysis; security and inspection; personnel training; waste minimization; preparedness, prevention, contingency plans and emergency procedures; manifest systems; and recordkeeping and reporting. Permit Parts 3, 4 and 7 contain specific facility standards and include requirements for the use and management of containers at the LANL permitted container storage units and requirements for treatment and stabilization of certain types of hazardous wastes. Air emission standards for process vents, equipment leaks, tanks, surface impoundments, and containers are also specific facility standards under the Permit. Permit Parts 9 and 10 address closure and post-closure requirements for hazardous waste management units.

#### Corrective Action

The New Mexico Hazardous Waste Act and regulations require that a hazardous waste treatment, storage, or disposal facility to take corrective action to address releases of hazardous waste or hazardous constituents from solid waste management units (SWMUs) and areas of concern (AOCs). The DOE and NMED entered into a Compliance Order on Consent (Order) effective June 24, 2016. The Order addresses corrective action requirements for the investigation and cleanup of hazardous waste and hazardous constituents from releases from SWMUs and AOCs located at LANL. In addition, the Permit includes requirements to conduct corrective action for releases from SWMUs and AOCs not addressed in the Order as specified at Permit Section 11.2.

#### Other Requirements

In addition to the Permit requirements above, N3B will be required to meet the following standards under the New Mexico Hazardous Waste Act and Hazardous Waste Management Regulations:

- Interim Status Facility Standards

20.4.1.600 NMAC (incorporating 40 CFR Part 265) contains interim status facility standards that apply to interim status facilities operating pending a final Hazardous Waste Facility Permit. LANL is also an interim status facility and N3B will be responsible for several container storage units that are undergoing closure. Interim status requirements include general facility standards; inspection preparedness and prevention; contingency and emergency procedures; manifest, recordkeeping and reporting; groundwater monitoring; closure and post-closure care requirements. Specific interim status standards also apply to the LANL interim status container storage units. Air emission standards for process vents, equipment leaks, tanks, surface impoundments, and containers are included in these regulations.

Mr. Nicholas J. Lombardo  
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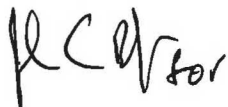
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- Generator Standards

20.4.1.300 NMAC (incorporating 40 CFR Part 262) details standards applicable to generators of hazardous waste, including waste identification, manifest, pre-transport, recordkeeping and reporting requirements, as well as import and export requirements. LANL is a large quantity generator of hazardous waste, and N3B will be subject to these requirements.

If you have comments or questions regarding this permit modification, please contact Arturo Duran, DOE, at (505) 665-7772 or Mark P. Haagenstad, LANS, at (505) 665-2014.

Sincerely,



William R. Mairson  
Acting Associate Director

Sincerely,



David S. Rhodes  
Director, Office of Quality & Regulatory Compliance

WRM/DEH/MPH:am

Enclosure(s): None.

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