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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 7, 2013

Geoffrey L. Beausoleil
Manager
U. S. Department of Energy
NNSA / Sandia Site Office
P.O. Box 5400, MS 0184
Albuquerque, NM 87185-5400

Michael W. Hazen
Vice-President,
Infrastructure Operations
Sandia Corporation
P.O. Box 5800, MS 0143
Albuquerque, NM 87185

**RE: APPROVAL
REQUEST FOR MODIFICATION TO HAZARDOUS WASTE POST-CLOSURE
CARE PERMIT FOR THE CHEMICAL WASTE LANDFILL AT SANDIA
NATIONAL LABORATORIES, FEBRUARY 2013
SANDIA NATIONAL LABORATORIES, EPA ID# NM5890110518
HWB-SNL-12-015**

Dear Mr. Beausoleil and Mr. Hazen:

The New Mexico Environment Department (NMED) has reviewed the document *Request for Modification to Hazardous Waste Post-Closure Care Permit for the Chemical Waste Landfill at Sandia National Laboratories/New Mexico* submitted by the U.S. Department of Energy (DOE) National Nuclear Security Administration (NNSA/SFO) and Sandia Corporation (collectively the Permittees) on February 11, 2013.

The Permittees have proposed changes to Post-Closure Care Permit Part 3 and Attachments 1 through 4 as follows.

- 1) Part 3, Section 3.3: Clarifies that the detailed requirements for recording inspections at the CWL are described in Section 1.10 of Permit Attachment 1 rather than Attachment 4. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.

- 2) Attachment 1, Section 1.4.2: Informational change to clarify that a BaroBall or other equivalent passive venting device will replace the well cover cap when a BaroBall or equivalent passive venting device is installed on a soil-gas monitoring well. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.
- 3) Attachment 1, Section 1.9.1.1: Would clarify that the detailed requirements for recording inspections at the CWL are specified in Section 1.10 of Permit Attachment 1 rather than Attachment 4. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.
- 4) Attachment 1, Section 1.9.1.2: Clarifies that the detailed requirements for recording inspections at the CWL are specified in Section 1.10 of Permit Attachment 1 rather than Attachment 4. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.
- 5) Attachment 1, Section 1.10: Clarifies that alternative forms of the inspection forms in Permit Attachment 4 may be used to detail the inspection requirements of Permit Attachment 1, Sections 1.9 and 1.10. The forms may be periodically updated and improved over the term of the Permit. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.
- 6) Attachment 2, Section 2.0: Informational change to remove the reference to the SNL/NM Statement of Work (SOW) for Analytical Laboratories as a requirement for sample collection. The SOWs state requirements applicable to laboratory analyses rather than sample collection. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.
- 7) Attachment 2, Table 2-1: Informational change to remove the Health and Safety Plan (HASP) from the list of required references in Table 2-1 that are necessary to collect groundwater samples at the CWL. Safety requirements under the HASP are established in Section 2.9 of Permit Attachment 2. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.
- 8) Attachment 2, Table 2-1: Informational change to remove the SNL/NM Statement of Work (SOW) for Analytical Laboratories and the Quality Assurance Project Plan (QAPP) for the Sample Management Office from the list of required references in Table 2-1 that are necessary to collect groundwater samples at the CWL. The SOW and QAPP state requirements applicable to laboratory analyses rather than sample collection. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.
- 9) Attachment 2, Section 2.9: Informational change to remove the PLA number from the reference to the HASP. The current number of the plan is not required to perform operations safely and may change at a later date. This is a Class 1 permit modification under A.1 of

Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.

10) Attachment 2, Section 2.20.2: Informational change to remove the reference to the SOW for data validation. The Permittees are required to follow the procedures in SW-846 Test Methods for Evaluation of Solid Waste for quality control and data validation, making the requirements of the SOW redundant. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.

11) Attachment 3, Section 3.6: The requirement to resample soil gas samples that exhibit a relative percent difference (RPD) of greater than 20% is being revised to greater than 50% to be more consistent with the typical precision level expected for the analysis of organic compounds. Additionally, an RPD is to be calculated only when the results for both the environmental and duplicate samples are greater than or equal to five times the laboratory reporting limit. This change is intended to account for cases involving low reporting limits where one or both of the paired sample results could be non-detect, and a RPD cannot be calculated or calculated with a reasonable level of certainty.

The last sentence that was proposed to be revised in Section 3.6 did not indicate that resampling is to be conducted if the aforementioned new standard for RPD is not met. NMED has revised the proposed text to indicate that resampling is to take place if the new standard is not met. This change is consistent with the quality assurance/quality control (QA/QC) requirement for groundwater samples elsewhere in the Permit. This change does not substantially alter permit conditions or lessen the protection of human health and the environment. This is a Class 1 permit modification under C.2 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that requires prior approval by NMED.

12) Attachment 3, Section 3.7: Informational change to remove the requirement to comply with the SNL/NM Sample Management Office Statement of Work (SOW) for Analytical Laboratories for off-site laboratories to meet for QA/QC. Meeting EPA standards as required in this Permit Section (3.7, second bullet) for QA/QC is sufficient to protect human health and the environment. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.

13) Attachment 3, Section 3.9: Informational change to remove the word "guidance" from Section 3.9. Guidance is not a regulatory or statutory requirement, and no specific guidance is referenced in the Permit in this case. Permit requirements for sample collection and analysis and data evaluation are established in Permit Attachment 3 and referenced in SNL's AOPs and FOPs. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.

14) Attachment 3, Table 3-2: Informational change to remove the SNL/NM Statement of Work (SOW) for Analytical Laboratories and the Quality Assurance Project Plan (QAPP) for the Sample Management Office from the list of required references in Table 3-2 that are necessary to collect soil-gas samples at the CWL. The SOW and QAPP state requirements applicable to laboratory analyses. This is a Class 1 permit modification under A.1 of Appendix 1 to

Mr. Beausoleil and Mr. Hazen
November 7, 2013
Page 4

20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.

15) Attachment 4, Title Note: The note would clarify that alternative formats to the inspection forms in Permit Attachment 4 may be used to detail the inspection requirements. The forms may be periodically updated and improved over the term of the Permit. This is a Class 1 permit modification under A.1 of Appendix 1 to 20.4.1.900 NMAC incorporating 40 C.F.R. 270.42 that does not require prior approval by NMED.

NMED hereby approves the subject permit modification request to make the above 15 revisions to the Post-Closure Care Permit, subject to the condition referenced in Item #11 above concerning RPD results. Enclosed are replacement pages for the Post-Closure Care Permit.

If you have any questions regarding this letter, please contact Mr. Brian L. Salem of my staff at (505) 222-9576.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

Enclosure: Replacement Pages for Chemical Waste Landfill Post-Closure Care Permit

cc: D. Cobrain, NMED HWB
W. Moats, NMED HWB
B. Salem, NMED HWB
T Skibitski, NMED DOE OB
A. Reiser, SNL/NM, MS-0729
J. Weckerle, SFA/ESH, MS-1084
L. King, EPA Region 6
File: SNL 2013 and Reading