Message

From: Sommer, Tab [Sommer.Tab@epa.gov]
Sent: 11/30/2017 1:12:05 PM
To: Gaines, Jeff [Gaines.Jeff@epa.gov]
Subject: FW: OB/OD permit denials/intent to deny at Los Alamos Labs

FYI – as the R6 liaison

From: Gerhard, Sasha
Sent: Thursday, November 30, 2017 5:38 AM
To: Sommer, Tab <Sommer.Tab@epa.gov>
Subject: FW: OB/OD permit denials/intent to deny at Los Alamos Labs

Hi Tab,

Here is a bit more detailed information on 2 of the interim status OB units at Los Alamos, if you'd like to update the projection status section.

Sasha Gerhard
USEPA, Office of Resource Conservation & Recovery
Program Implementation & Information Division, 5303P
703-879-8501

From: Mayer, Richard
Sent: Wednesday, November 29, 2017 11:55 PM
To: Dhawan, Neelam, NMENV <neelam.dhawan@state.nm.us>; Craig, Harry <Craig.Harry@epa.gov>; Gerhard, Sasha <Gerhard.Sasha@epa.gov>; Ashby.Scott_deq.virginia.gov <Ashby.Scott@deq.virginia.gov>; leslie.romanchik@deq.virginia.gov; Herstowski, Ken <Herstowski.Ken@epa.gov>; Newland, Jesse <Newland.Jesse@epa.gov>; Zabaneh, Mahfouz <Zabaneh.Mahfouz@epa.gov>
Cc: McGoldrick, Catherine <McGoldrick.Catherine@epa.gov>; Crosby-Vega, Terri <Crosby-Vega.Terri@epa.gov>; Shuster, Kenneth <Shuster.Kenneth@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>; Hendrickson, Charles <hendrickson.charles@epa.gov>; Kieling, John, NMENV <john.kieling@state.nm.us>
Subject: RE: OB/OD permit denials/intent to deny at Los Alamos Labs

Neelam, Thank you very much for the details on the two LANL OB units at TA-16.

From: Dhawan, Neelam, NMENV [mailto:neelam.dhawan@state.nm.us]
Sent: Wednesday, November 29, 2017 5:49 PM
To: Mayer, Richard <mayer.richard@epa.gov>; Craig, Harry <Craig.Harry@epa.gov>; Gerhard, Sasha <Gerhard.Sasha@epa.gov>; Ashby.Scott_deq.virginia.gov <Ashby.Scott@deq.virginia.gov>; leslie.romanchik@deq.virginia.gov; Herstowski, Ken <Herstowski.Ken@epa.gov>; Newland, Jesse <Newland.Jesse@epa.gov>; Zabaneh, Mahfouz <Zabaneh.Mahfouz@epa.gov>
Cc: McGoldrick, Catherine <McGoldrick.Catherine@epa.gov>; Crosby-Vega, Terri <Crosby-Vega.Terri@epa.gov>; Shuster, Kenneth <Shuster.Kenneth@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>; Hendrickson, Charles <hendrickson.charles@epa.gov>; Kieling, John, NMENV <john.kieling@state.nm.us>
Subject: RE: OB/OD permit denials/intent to deny at Los Alamos Labs

Rich,
Here is the status of two OB units at LANL at TA-16.

A Final Order was issued for the Permit in November 30, 2010 (see attached 34162.pdf) which denied the permit for operation of the OB units 16-388 and 16-399. On December 21, 2010 the Secretary amended the Final Order issued on November 30, 2010 granting a partial reconsideration (see attached 34552.pdf). The permittees were allowed to continue to operate the units under interim status and were required to submit a Class 3 modification request (PMR) to provide additional information to include the two units on the permit. The Permittees decided to close 16-399 and then eventually submitted a PMR for 16-388. The PMR was submitted on September 30, 2013. A partial NOD was issued in 2014 (asking for air modelling results, and revised risk assessment), NMED has not received a response to date. The 16-399 closure was public noticed and discussion ensued after NMED received numerous public comments. Discussions were complicated in the permit appeal process from the original issuance of the 2010 permit. The issues related to the 16-399 closure plan have recently been addressed and NMED is currently drafting response to comments and will issue a final closure plan early in the coming calendar year.

Hope this is helpful. Let me know if you need anything else.
Thanks,

Neelam Dhawan
Hazardous Waste Bureau
New Mexico Environment Department
2905, Rodeo Park Drive East, Building 1
Santa Fe, NM 87505
Phone (505) 476-6042 / Fax (505) 476-6030
Main HWB Phone (505) 476-6000

From: Mayer, Richard [mailto:mayer.richard@epa.gov]
Sent: Tuesday, November 21, 2017 11:35 AM
To: Craig, Harry <Craig.Harry@epa.gov>; Gerhard, Sasha <Gerhard.Sasha@epa.gov>; Ashby.Scott_deq.virginia.gov <Ashby.Scott@deq.virginia.gov>; leslie.romanchik@deq.virginia.gov; Herstowski, Ken <Herstowski.Ken@epa.gov>; Newland, Jesse <Newland.Jesse@epa.gov>; Zabaneh, Mahfouz <Zabaneh.Mahfouz@epa.gov>
Cc: McGoldrick, Catherine <McGoldrick.Catherine@epa.gov>; Crosby-Vega, Terri <Crosby-Vega.Terri@epa.gov>; Shuster, Kenneth <Shuster.Kenneth@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>; Hendrickson, Charles <hendrickson.charles@epa.gov>; Dhawan, Neelam, NMENV <neelam.dhawan@state.nm.us>
Subject: RE: OB/OD permit denials/intent to deny at Los Alamos Labs

Good point on the evaluation of alternatives to OB/OD Harry. I don't remember all the details during the permitting process as it has been several years ago, but those three reasons given below are correct. I will cc this to NMED's Neelam Dhawan who has more knowledge about this subject.

From: Craig, Harry
Sent: Tuesday, November 21, 2017 11:22 AM
To: Gerhard, Sasha <Gerhard.Sasha@epa.gov>; Ashby.Scott_deq.virginia.gov <Ashby.Scott@deq.virginia.gov>; leslie.romanchik@deq.virginia.gov; Herstowski, Ken <Herstowski.Ken@epa.gov>; Newland, Jesse <Newland.Jesse@epa.gov>; Zabaneh, Mahfouz <Zabaneh.Mahfouz@epa.gov>
Cc: McGoldrick, Catherine <McGoldrick.Catherine@epa.gov>; Crosby-Vega, Terri <Crosby-Vega.Terri@epa.gov>; Shuster, Kenneth <Shuster.Kenneth@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>; Hendrickson, Charles <hendrickson.charles@epa.gov>; Mayer, Richard <mayer.richard@epa.gov>
Subject: RE: OB/OD permit denials/intent to deny

Sasha,

It seems unusual to me that Los Alamos would not do an (adequate?) evaluation of alternatives to OB/OD, given the amount of bench and pilot scale alkaline hydrolysis work they have done on bulk explosives. I assume you have seen these studies on alkaline (base) hydrolysis (AH) of energetic materials as part of the NAS Committee deliberations. It seems like alkaline hydrolysis (AH) was under-emphasized as a technology for alternatives to OB/OD as compared to some of the more untested ones such as MuniRem or SCWO.

Los Alamos Labs at DOE has done substantial work on AH treatment for RDX, HMX, TNT, and PETN based explosives. SERDP/ESTCP has also done some research on using AH for treatment of bulk explosives and explosives in soil, and there have been two full scale projects, Volunteer AAP in TN and Iowa AAP in IA that used AH to treat TNT and DNT contaminated soils. Hopefully AH is fully considered in the NAS report, and in site-specific evaluations of alternatives to OB/OD.

http://www.dtic.mil/dtic/tr/fulltext/u2/a468309.pdf

http://www.dtic.mil/dtic/tr/fulltext/u2/a552790.pdf

Regards,

Harry

From: Gerhard, Sasha
Sent: Tuesday, November 21, 2017 5:26 AM
To: Ashby.Scott_deq.virginia.gov <Ashby.Scott@deq.virginia.gov>; leslie.romanchik@deq.virginia.gov; Herstowski, Ken <Herstowski.Ken@epa.gov>; Newland, Jesse <Newland.Jesse@epa.gov>; Zabaneh, Mahfouz <Zabaneh.Mahfouz@epa.gov>; Craig, Harry <Craig.Harry@epa.gov>
Cc: McGoldrick, Catherine <McGoldrick.Catherine@epa.gov>; Crosby-Vega, Terri <Crosby-Vega.Terri@epa.gov>; Shuster, Kenneth <Shuster.Kenneth@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>
Subject: OB/OD permit denials/intent to deny

Hello everyone,

On last month's Subpart X Permit Writer call, I had asked if the group could review a data pull of OB/OD units that were coded as intent to deny (ID) or permit denied (PD) to see if folks could find out the reason why (e.g., BRAC closure, application withdraw - never used, public opposition, risk to HH&E, etc.). As explained on the call, the National Academy of Science, Engineering, and Medicine (NASEM) is interested in learning about OB/OD units that were denied RCRA permits (or an intent to deny issued) primarily for operating, interim status units. The NASEM is trying to ascertain the factors that led to those decisions which likely will be factored into the review committee's recommendations for and against OB/OD of munitions.

I believe that the NASEM is most interested in cases such as the attached Notice of Intent to Deny Permits for Open Burning at Los Alamos – 3 reasons for denial: risk assessment showed Eco risk; large public opposition; and applicants did not adequately assess alternatives. However, this case seems to be the only one (Camp Minden is another where public opposition resulted in the decision not to allow OB/OD, and though it fell under Superfund, it is still useful for NASEM). Regardless, it would be beneficial to know the reason even if just due to base closures.

This email is being sent to those of you who have OB/OD units listed in your region or state. If you could help me out (or pass along to someone who can) by taking a look at the attached file that Chuck Hendrickson added information to for Region 6 states, and provide information in the notes column where possible, I would be very appreciative. I realize it is a holiday week, but if you could get back to me by COB next Thursday, November 30th, that would be great.

Thank you,
Sasha

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