



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

April 19, 2022

Darlene Rodriguez
Assistant Manager, Mission Assurance & Infrastructure
National Nuclear Security Administration
Los Alamos Field Office
3747 West Jemez Road, MS A316
Los Alamos, New Mexico 87544

Re: National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61, Subparts A and H, Standards for Emissions of Radionuclides Other Than Radon from Department of Energy Facilities

Dear Ms. Rodriguez:

The U.S. Environmental Protection Agency is in receipt of the U.S. Department of Energy's application, dated November 2, 2021, concerning the construction of a new Radioactive Liquid Waste Treatment Facility -Transuranic Liquid Waste (RLWTF-TLW) facility for transuranic waste streams, which will be located at the Los Alamos National Laboratory (LANL). The application was submitted as required by 40 CFR 61.07 and 40 CFR 61.96(a) of the National Emission Standards for Emissions of Radionuclides Other than Radon From Department of Energy Facilities (Radionuclide NESHAP), promulgated under Section 112 of the Clean Air Act. 42 U.S.C. § 7412.

Pursuant to 40 CFR 61.08(b), the application and additional information provided has been reviewed by the EPA Health Physicist, Mr. George Brozowski, to determine whether emissions of radionuclides from LANL, including those associated with the RLWTF-TLW project, will comply with the Radionuclide NESHAP standard. More specifically, emissions of radionuclides to the ambient air from the Department of Energy facilities shall not exceed those amounts that would cause any member of the public to receive in any year an effective dose equivalent of 10 mrem/yr. See 40 CFR 61.92.

Based on our review of the above-referenced application and information EPA has determined that the proposed construction and operation of the RLWTF-TLW will not cause emissions from LANL in violation of the emission standard set forth in the Radionuclide NESHAP if properly operated as described in the application and subsequent updates, and therefore your application for construction is approved.

This letter serves as written approval of your application. The conditions of the approval include:

1. This approval is effective on the date of this letter.
2. This approval shall expire 180 calendar days after its effective date unless construction has commenced within that time frame.
3. Any change in the information submitted in support of the approved application shall be provided in writing to EPA within 30 days after the change.
4. Any revision to the plans and specifications of this approved application which may, in EPA's judgment, affect the emissions of radionuclides to the outside air from the new construction or operation shall require prior written approval by EPA.
5. Applicant shall provide written notification to EPA Region 6 and the tribal community within a 30-mile radius of LANL thirty (30) days prior to commencing construction.
6. No condition presented herein precludes the applicant from compliance with additional or more stringent conditions or requirements under any other Federal, State, or local approval or permit.
7. Failure to comply with the conditions of this approval may result in revocation of the approval and/or an enforcement action by EPA.

This approval does not relieve the applicant of the legal responsibility to comply with the Radionuclide NESHAP, all other applicable requirements of 40 CFR Part 61, and with any other applicable provisions of Federal, State, or local law and regulations. Further, this approval does not limit any action which the EPA could take to implement or enforce air pollution requirements, including measures necessary to protect public health or welfare, or the environment from imminent and substantial endangerment under Section 303 of the Clean Air Act. 42 U.S.C. § 7603.

Should you have any questions concerning the substance of this letter and approval you may contact Mr. Brozowski at (214) 665-8541.

Sincerely,

David F. Garcia, P. E.
Director, Air and Radiation Division

cc: Pueblos & Tribes in New Mexico