



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Maureen F. Gorsen, Director  
700 Heinz Avenue  
Berkeley, California 94710-2721



Arnold Schwarzenegger  
Governor

June 9, 2006

### **CERTIFIED MAIL**

Mr. Patrick Epperson  
Lawrence Livermore National Laboratory  
7000 East Avenue  
Livermore, CA 94550

Dear Mr. Epperson:

On October 31, 2005 and November 1, 2005, the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC), conducted an inspection of Lawrence Livermore National Laboratory located on 7000 East Avenue in Livermore, CA 94550. The enclosed report describes the findings of that inspection, including all violations and any actions that should be taken by the facility to correct the violations.

The following violation described in this inspection report, was found subsequent to the inspection and was not listed in the Summary of Observations left with you at the end of the inspection:

#### Class II Violation

1. On or about December 1, 2004 and March 2, 2005 Lawrence Livermore National Laboratory (LLNL) violated California Code of Regulations, title 22, section 66264.73 (b)(1) in that LLNL failed to provide an accurate record of each hazardous waste received, and the date(s) of its transfer and storage.

LLNL's HAZTRAK (electronic hazardous waste tracking system) showed discrepancies in the date (March 2, 2005 versus the March 3, 2005) containers Q00089790, Q00089792, Q00089795, Q00089776, Q00089782, Q00089785 were shipped off-site to LLNL Site 300 when compared to the date on the manifest (23440683) accompanying the wastes. LLNL's HAZTRAK also showed discrepancies in the date (December 1, 2004 versus December 8, 2004) that wastes were received at B191A and ATGEN SITE 300.

Mr. Patrick Epperson  
June 9, 2006  
Page 2

You are required to submit a written response to DTSC within 60 days describing the corrective actions that you have taken or propose to take to bring your facility into compliance [Health & Saf. Code, sec. 25185(c)(3)]. If you dispute any of the violations, you should explain your disagreement in this written response. The issuance of this letter and report does not preclude DTSC from taking administrative, civil, or criminal action as a result of the violations noted in the report. All pertinent information derived from the inspection, including documents, photographs, and sampling results, are included as attachments to the report, except copies of documents provided by your facility at the time of the inspection. In order to reduce copying and mailing costs, these have not been returned to you with the report; copies will be provided if you request them. This report will become a public document; you may request that any trade secret or facility security information be withheld from public disclosure. (See Health & Saf. Code, sec. 25173, attached.)

If you wish to assert the trade secret privilege after you have reviewed the report, please provide specific answers to each of the following questions for each item:

- To what extent is there knowledge of the information conveyed by the photograph/document outside of your business?
- To what extent is there knowledge of the information conveyed by the photograph/document, by employees and others in your business?
- To what extent have measures been taken to guard the secrecy of the information?
- Is the information valuable to competitors? If so, why?
- Has there been substantial monetary expenditure in the development of the information?
- Could the information be easily and properly acquired or duplicated by others?

DTSC will review your response to these questions to determine if the information should be treated as trade secret and will notify you of its decision.

If you have any questions regarding this letter, or if you wish to meet with DTSC to discuss any questions or concerns you have with the inspection, the report, the violations, or the required corrective action, please call Mr. Eric Brocales at (510) 540-3953.

Mr. Patrick Epperson  
June 9, 2006  
Page 3

Sincerely,

Patti Barni  
Section Chief  
Statewide Compliance Division

Certified Mail No.: 7004 1350 0005 4025 5599

Enclosure

cc: Mr. Eric Brocales  
Statewide Compliance Division  
Department of Toxic Substances Control  
700 Heinz Avenue, Ste. 200  
Berkeley, CA 94710

Essam Eissa  
Statewide Compliance Division  
Department of Toxic Substances Control  
700 Heinz Avenue, Ste. 200  
Berkeley, CA 94710