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**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

January 5, 2004

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

Peter B. Davies  
Director, Geoscience and Environment  
Center (6100)  
Sandia National Laboratories  
P.O. Box 5800, MS 0701  
Albuquerque, NM 87185

**RE: MIXED WASTE LANDFILL CORRECTIVE MEASURES STUDY  
REPORT, MAY 2003  
SANDIA NATIONAL LABORATORIES EPA ID# NM5890110518  
HWB-SNL-01-025**

Dear Ms. Boardman and Mr. Davies:

The New Mexico Environment Department (NMED) has reviewed the December 19, 2003, U. S. Department of Energy/Sandia National Laboratories' (DOE/SNL's) responses to the NMED Notice of Deficiency issued on November 5, 2003, regarding the Mixed Waste Landfill (MWL) Corrective Measures Study (CMS) Report. NMED has determined that the CMS Report is now complete.

As the next step, the DOE/SNL should submit a Class 3 permit modification request that will address, based on the CMS Report, a final remedy for the MWL. The permit modification request should include a listing of the contents and a schedule for corrective measures implementation (CMI), including the submittal of a CMI Work Plan, a CMI Report, quarterly CMI progress reports, and a long-term monitoring, maintenance, control, and surveillance plan. The DOE/SNL must meet the requirements of 20.4.1.900 NMAC incorporating 40 CFR 270.42(c), including the requirements to conduct a 60-day public comment period and to hold a public meeting to discuss the results of the CMS and the permit modification request.

Ms. Boardman and Mr. Davies

January 5, 2004

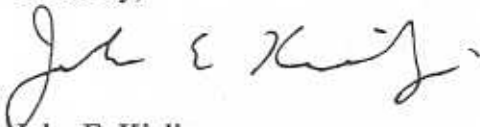
Page 2

At the end of the 60-day comment period, the NMED may request additional information from DOE/SNL concerning the permit modification request. Once NMED is satisfied that all necessary information has been submitted in support of the request, NMED will prepare a draft permit and conduct a public comment period of no less than 45 days. It is anticipated that a hearing will be scheduled as part of the public participation process.

Be advised that the remedy incorporated into the draft (and final permit) prepared by NMED may differ from that preferred by the DOE/SNL. Additionally, NMED may require monitoring, maintenance, and physical and institutional controls that are different than those specified in the CMS Report, and that such requirements will be based on the final selected remedy.

Should you have any questions regarding this matter please contact William Moats of my staff at (505) 284-5086.

Sincerely,



John E. Kieling

Manager

Permits Management Program

JEK:wpm

cc: S. Martin, NMED HWB  
W. Moats, NMED HWB  
C. Lundstrom, NMED  
F. Nimick, SNL, MS 1087  
J. Gould, NNSA/DOE, MS 0184  
L. King, EPA-Region 6 (6PD-N)

File: Reading and SNL, MWL (OU 1289), 2003