



**BILL RICHARDSON**  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*  
*2905 Rodeo Park Drive East, Building 1*  
*Santa Fe, New Mexico 87505-6303*  
*Telephone (505) 428-2500*  
*Fax (505) 428-2567*  
*www.nmenv.state.nm.us*



**RON CURRY**  
SECRETARY

**DERRITH WATCHMAN-MOORE**  
DEPUTY SECRETARY

**PUBLIC NOTICE NO. 04-10**

**NEW MEXICO ENVIRONMENT DEPARTMENT**  
**HAZARDOUS WASTE BUREAU**  
**Santa Fe, New Mexico**  
**July 20, 2004**

**NOTICE OF PUBLIC COMMENT PERIOD**  
**AND OPPORTUNITY TO REQUEST A PUBLIC HEARING**

**PROPOSED CLOSURE PLAN AND CLOSURE OF**  
**HAZARDOUS WASTE STORAGE UNITS**  
**SANDIA NATIONAL LABORATORIES EPA ID NO. NM5890110518**

The New Mexico Environment Department (NMED) proposes, pending public input, to approve the High Bay Waste Storage Facility Interim Status Closure Plan (April 2004) and to administratively close two hazardous waste storage units (Manzano Bunkers #37063 and #37078) at Sandia National Laboratories (SNL). SNL is owned by the U.S. Department of Energy (DOE), is co-operated by the DOE and Sandia Corporation (Permittees), and is located on Kirtland Air Force Base, south of Albuquerque in Bernalillo County, New Mexico. The Permittees are located at the following addresses: SNL, 1515 Eubank SE, Albuquerque, NM, 87123; and NNSA/DOE, Sandia Site Office, KAFB-East, Pennsylvania & H Street, Albuquerque, NM 87116. The Permittee's primary contact for this action is Mr. David Rast, NNSA/Sandia Site Office, DOE, at P. O. Box 5400, Albuquerque, NM 87185.

SNL, in operation since 1945, is engaged in research and development of conventional and nuclear weapons, alternative energy sources and a variety of national security related research and development. As a result of these activities, SNL generates hazardous and mixed waste (waste containing both hazardous and radioactive components) that are stored at the facility for greater than 90 days.

The storage units being closed are authorized to store hazardous and mixed waste as interim status units under the Federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 *et seq.*, the New Mexico Hazardous Waste Act (HWA), NMSA 1978 §§ 74-4-1 *et seq.*, and New Mexico Hazardous Waste Management Regulations, 20.4.1.600 NMAC (incorporating 40 C.F.R. Part 265). The storage units were in existence prior to June 25, 1990, the effective date of regulation of mixed waste under RCRA. The storage units were included in the mixed waste

RCRA Part A permit application submitted to NMED by the U.S. Department of Energy (DOE) dated August 1990.

Closure of the storage units must be in compliance with 20.4.1.600 NMAC (incorporating 40 CFR Part 265, Subpart G). This public notice is in compliance with 20.4.1.600 NMAC (incorporating 40 C.F.R. § 265.112(d)(4)). NMED proposes to approve the High Bay Closure Plan because the proposed method of closure will meet RCRA closure standards. NMED proposes to approve closure of the Manzano Bunker storage units because they were never used to store hazardous waste at SNL.

The Manzano Bunker storage units #378063 and #37078 and the High Bay Waste Storage Facility were included in the most recent SNL RCRA Part A (Revision 6) permit application submitted by DOE and Sandia Corporation, dated November 2003. The storage units were also included as units to be permitted in SNL's RCRA Part B permit renewal application submitted by DOE and Sandia Corporation dated February 2002. However, these units were withdrawn from the most recent SNL RCRA Part B permit renewal application submitted by DOE and Sandia Corporation dated April 2003.

DOE and Sandia have elected to terminate the use of the storage units for storage of hazardous waste for more than 90 days. Storage for more than 90 days requires authorization under a RCRA permit or interim status. These units will not be included in the renewed SNL RCRA permit.

### **PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD**

The Administrative Record for this proposed action consists of the Closure Plan and related correspondence and any referenced supporting documentation. The Administrative Record may be reviewed at the following locations during the public comment period:

NMED - Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
(505) 428-2500  
Monday – Friday 8:00 a.m. to 5:00 p.m.

NMED-District 1 Office  
4131 Montgomery Blvd., NE  
Albuquerque, New Mexico 87109  
(505) 841-9450  
Monday - Friday 8:00 a.m. to 5:00 p.m.

A copy of the Closure Plan and the closure withdrawal letter are also available on the NMED website at [www.nmenv.state.nm.us/HWB/snlperm.html](http://www.nmenv.state.nm.us/HWB/snlperm.html) under Closures. To obtain a copy of the Administrative Record or a portion thereof, in addition to further information please contact Mr. Steve Jetter at (505) 845-5932, or at the address given above. NMED will provide copies, or portions thereof, of the administrative record at a charge of \$0.25 per

The 30-day public comment period begins on **July 20, 2004**, and ends on **August 20, 2004**. Any person who wishes to comment on this action or request a public hearing should submit written or e-mail comments with the commenter's name and address to the address below. Only comments or requests received on or before **5:00 p.m., August 20, 2004** will be considered.

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303  
Ref: Sandia National Laboratories - Interim Status Unit Closures  
E-mail: hazardous\_waste\_comment@nmenv.state.nm.us

Written comments must be based on the information available for review and include, to the extent practicable, all referenced factual materials. Documents in the administrative record need not be re-submitted if expressly referenced by the commenter. Requests for a public hearing shall provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all persons whom the requestor represents; (3) a statement of any objections to the Closure Plans; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. NMED will provide a 30 day notice of a public hearing, if a hearing is scheduled.

NMED must ensure that closure of the two storage units and the proposed Closure Plan are consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted will be considered in formulating a final decision and may result in NMED modifying or disapproving the Closure Plan or disapproving closure of the two storage units. NMED will respond in writing to all significant public comments. This response will specify which provisions, if any, of the Closure Plan have been changed in the final decision and the reasons for the change, and will briefly describe and respond to all public comments. The response will also indicate whether the two storage units were closed. All persons who submit written comments or who request notification in writing will be notified of the decision by mail. NMED's responses to comments will also be posted on the NMED website.

NMED will provide to DOE and Sandia by mail a copy of the approved Closure Plan and a detailed written statement of reasons for any modifications or disapproval. The final closure decision will constitute a final agency decision and may be appealed as provided by the HWA.

#### **ARRANGEMENTS FOR PERSONS WITH DISABILITIES**

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley, NMED, Room N-4030, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, NM 87502-6110, phone number 505-827-2580. TDD or TDY users please access Ms. Bentley's number via the New Mexico Relay Network. Albuquerque users may access Ms. Bentley's number at 505-275-7333 or 800-659-1779.