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

*Hazardous Waste Bureau*  
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RON CURRY  
SECRETARY

CINDY PADILLA  
DEPUTY SECRETARY

May 21, 2007

**SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A PUBLIC HEARING ON A CLOSURE PLAN AMENDMENT, CORRECTIVE MEASURES STUDY, AND DRAFT POST-CLOSURE CARE PERMIT FOR THE CHEMICAL WASTE LANDFILL AT SANDIA NATIONAL LABORATORIES**

Dear Interested Citizen:

Enclosed is a **Public Notice** regarding the draft Post-Closure Care Permit for the Sandia National Laboratories (the Facility) Chemical Waste Landfill (CWL). The permit applicants, Sandia Corporation and the U. S. Department of Energy (DOE), have applied for a permit to perform post-closure care at the CWL. The New Mexico Environment Department (NMED) is seeking public comment on the draft Permit

At this time, and by the same action, NMED is also seeking public comment on the proposed Chapter 12 CWL Closure Plan Amendment (March 2, 2006) and the CWL Corrective Measures Study Report (December 2004). The NMED intends, pending public input, to approve the proposed Closure Plan Amendment, and based on the results of the Corrective Measures Study, intends to select as the final remedy for the landfill the interim cover that has already been installed on the CWL subsequent to completion of the Landfill Excavation Voluntary Corrective Measure. The final remedy for the CWL shall also include long-term groundwater and subsurface soil-gas monitoring, and post-closure care activities that are described in detail in the draft Post-Closure Care Permit.

All three actions are being done simultaneously to facilitate transitioning the CWL from an interim status hazardous waste landfill undergoing closure and corrective action to a permitted unit subject to post-closure care. Once the CWL Post-Closure Care Permit becomes effective, regulatory oversight through the Closure Plan will be terminated.

The Facility is located within the boundaries of Kirtland Air Force Base south of and adjacent to the city of Albuquerque in Bernalillo County, New Mexico. It is a multi-purpose engineering and science laboratory owned by the DOE and co-operated by Sandia Corporation and the DOE. The CWL is a 1.9-acre site located in the southeast corner of the Facility's Technical Area III. From 1962 until 1981, the CWL was used for the disposal of hazardous, radioactive, toxic, and solid

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waste. The CWL was also used as an above-ground hazardous waste storage unit from 1981 to 1989. From 1981 through 1985, only solid waste, including hazardous waste, was disposed of at the CWL. After 1985, all waste disposal ended, and after 1989, the CWL was no longer used as a hazardous waste storage unit. The CWL was excavated from September 1998 through February 2002 under a Closure Plan and related documents approved by the NMED.

Sandia Corporation is located at the following address: 1515 Eubank SE, Albuquerque, NM 87123. The Sandia Site Office of the U. S. Department of Energy (DOE) is located at KAFB-East, Pennsylvania and H Street, P.O. Box 5400, Albuquerque, NM 87185. John Gould, DOE, is the Facility's primary contact.

NMED is seeking public comment on the draft Permit, the proposed Chapter 12 Closure Plan Amendment, and the final remedy for 60 days commencing on May 21, 2007, and terminating on July 20, 2007.

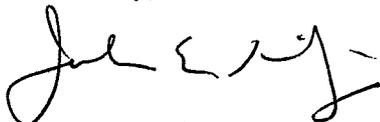
The enclosed Public Notice provides locations where the Administrative Record, including the Permit Application, draft Permit, proposed Chapter 12 Closure Plan amendment, CMS Report, Fact Sheet, and supporting documentation can be reviewed, and provides procedures for submitting comments and requesting a public hearing. Comments and requests for public hearing will be received through **5:00 p.m. on July 20, 2007.**

Any person seeking additional information regarding this notice may contact:

Mr. John E. Kieling, Program Manager  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505

Email: [john.kieling@state.nm.us](mailto:john.kieling@state.nm.us)  
Telephone: (505) 476-6000  
Fax: (505) 476-6030

Sincerely,



John E. Kieling  
Program Manager  
Permits Management Program  
Hazardous Waste Bureau



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**PUBLIC NOTICE NUMBER 07-05**

**NEW MEXICO ENVIRONMENT DEPARTMENT**  
**HAZARDOUS WASTE BUREAU**  
**SANTA FE, NEW MEXICO 87505**  
May 21, 2007

**NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A PUBLIC HEARING ON A CLOSURE PLAN AMENDMENT, CORRECTIVE MEASURES STUDY, AND DRAFT POST-CLOSURE CARE PERMIT FOR THE CHEMICAL WASTE LANDFILL AT SANDIA NATIONAL LABORATORIES**  
**EPA ID NO. NM5890110518**

The New Mexico Environment Department (NMED) proposes to approve a Closure Plan amendment, select a final remedy based on a Corrective Measures Study (CMS) Report, and issue a Post-Closure Care Permit for the Chemical Waste Landfill (CWL) located at Sandia National Laboratories (the Facility). The permit would be issued to Sandia Corporation and the United States Department of Energy (the Applicants). The Facility is located within the boundaries of Kirtland Air Force Base south of and adjacent to the city of Albuquerque in Bernalillo County, New Mexico. The Facility is a multi-purpose engineering and science laboratory owned and operated by the U. S. Department of Energy (DOE) and co-operated by Sandia Corporation, a subsidiary of Lockheed Martin. The operations at the facility include designing non-nuclear components for the nation's nuclear weapons, designing and testing conventional military weapons, performing a wide variety of energy research and development projects, and work on assignments that respond to national security threats. As a result of these activities, wastes are generated that are regulated under the federal Resource Conservation and Recovery Act (RCRA), the New Mexico Hazardous Waste Act, and their implementing regulations.

Sandia Corporation is located at the following address: 1515 Eubank SE, Albuquerque, NM 87123. The Sandia Site Office of the U. S. Department of Energy (DOE) is located at KAFB-East, Pennsylvania and H Street, P.O. Box 5400, Albuquerque, NM 87185. John Gould, NNSA/DOE, is the Facility's primary contact.

The CWL is an interim status hazardous waste landfill subject to a Closure Plan issued under the New Mexico Hazardous Waste Act (HWA, (1978 NMSA, §§ 74-4-1 through 74-4-14)) and the New Mexico Hazardous Waste Management Regulations (HWMR, 20.4.1 NMAC). The landfill is a 1.9-acre site located in the southeast corner the Facility's Technical Area III. From 1962 until 1981, the CWL was used for the disposal of hazardous, toxic, radioactive, and solid waste generated by research and manufacturing activities at the Facility. The surface of the CWL was used as a hazardous waste storage unit from 1981 to 1989. From 1981 through 1985, only solid waste, including hazardous waste, was disposed of at the CWL. All disposal of waste ended by 1985, and after 1989, the CWL was no longer used as a hazardous waste storage unit.

Corrective action has been conducted at the CWL under a NMED-approved Closure Plan. Samples of surface and subsurface soil and soil gas, and groundwater have been collected and analyzed at various times as required by the Closure Plan. Groundwater monitoring continues to the present. Trichloroethene (TCE), chromium, and nickel have been detected in soil and in groundwater in the uppermost aquifer underlying the CWL. Other contaminants such as polychlorinated biphenyls (PCBs) and tritium have been detected in soil. Volatile organic compounds, including TCE, have been detected in subsurface soil vapor. As a result of this characterization effort, the CWL was excavated from September 1998 through February 2002 to remove waste and contaminated soil that served as one of the sources of the groundwater contamination. Soil-vapor extraction was also conducted prior to excavation of the landfill to reduce the concentrations of soil vapor in the vadose zone. The soil vapor contained chlorinated solvents and was also a source for the groundwater contamination. Intact containers of waste removed from the excavation of the landfill were treated and disposed of off-site. Soil with the highest levels of contaminants was treated and placed permanently into the containment cell at the nearby Corrective Action Management Unit. The CWL excavation was backfilled with soil, some of it having low concentrations of contaminants, to a uniform depth of four feet below ground surface. An at-grade vegetative soil cover (evapotranspiration cover) was installed over the landfill using clean soil as an interim corrective measure.

Since completing excavation and vapor extraction, levels of contaminants in the groundwater have dropped to concentrations below the appropriate U. S. Environmental Protection Agency Maximum Contaminant Levels or New Mexico Water Quality Control Commission water quality standards.

In addition to proposing a draft permit for post-closure care, the NMED is providing public notice of two other regulatory actions for the CWL: 1) a Closure Plan amendment, and 2) a Corrective Measures Study. All three of these regulatory actions are being subject to public notice at one time because of the necessity to transition oversight of the CWL from an interim status landfill undergoing closure and corrective action to a permitted unit undergoing post-closure care. Regulation of the CWL through the Closure Plan will cease and be transferred to the Post-Closure Care Permit when the permit becomes effective.

The Post-Closure Care Permit would require the Applicants to: 1) comply with the post-closure care requirements of 20.4.1 NMAC, incorporating 40 CFR §§ 264.117 through 264.120; 2) comply with the groundwater protection standard at 40 CFR § 264.92 and institute a compliance monitoring program meeting the requirements of 40 CFR § 264.99; and 3) conduct other post-closure care tasks in accordance with the final Permit, the HWA, and the HWMR. The Permit would also require the Applicants to institute soil-gas monitoring. The draft Permit requires that the Applicants conduct post-closure care for a period of 30 years and compliance groundwater monitoring for 45 years.

The Closure Plan amendment would modify Chapter 12 of the CWL Closure Plan, which provides information and sets forth requirements regarding corrective action conducted at the CWL and the closure process that must be completed prior to transitioning the CWL from interim status closure to permitted post-closure care. Because the updates are extensive, it is proposed that the current text of Chapter 12 be replaced in whole by the new version. The NMED intends to approve the Closure Plan amendment, pending public input.

The purpose of the CMS was to: 1) provide a summary of the corrective action history of the CWL; 2) establish current conditions based upon recent analytical results for groundwater, soil, and soil gas; 3) determine if further corrective action is warranted after soil-vapor extraction and landfill excavation had

been completed; and 4) recommend a final corrective measure for the landfill. Based on the results of the CMS, the Applicants have proposed in a CMS Report that the evapotranspiration cover that was placed over the CWL as an interim measure (after excavation was completed) be accepted as the final remedy for the landfill. The Applicants also proposed to conduct long-term monitoring of groundwater and soil gas, and implementing inspections, maintenance, and institutional controls typical of post-closure care activities. Pending input from the public, the NMED intends to select the evapotranspiration cover as the final remedy for the landfill, in addition to requiring long-term monitoring of groundwater and subsurface soil gas, and conducting post-closure care activities.

NMED announces the availability of the proposed draft Permit, the Chapter 12 Closure Plan amendment, and the CMS Report for public comment. In addition, the NMED will consider any requests for public hearing and determine whether a public hearing will be held to consider further public comments. NMED also announces the availability of a fact sheet providing the principle basis for the Department's decision to issue a final Permit, select the final remedy for the landfill, and approve the Closure Plan amendment and the significant factual, legal and policy questions considered. The fact sheet contains a summary of the basis for Permit conditions, including applicable statutory and regulatory support.

### **PUBLIC REVIEW OF THE DRAFT PERMIT, CLOSURE PLAN AMENDMENT, AND CORRECTIVE MEASURES STUDY REPORT**

The Administrative Record for this proposed action consists of the permit application, draft Permit, the Chapter 12 Closure Plan amendment, the CWL Closure Plan and related documents, as amended, the CMS Report, this Public Notice, Fact Sheet, and other supporting documentation. The Administrative Record may be reviewed, with prior appointment, at the following location during the public comment period.

NMED - Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Phone: (505) 476-6000  
*Monday – Friday: 8:00 a.m. to 5:00 p.m.*  
Contact: *Pam Allen*

In addition, the draft Permit, this Public Notice, the Chapter 12 Closure Plan amendment, the CMS Report, and Fact Sheet may be reviewed, with prior appointment, at the following location during the public comment period.

NMED District 1 Office - Hazardous Waste Bureau  
5500 San Antonio Avenue, NE  
Albuquerque, New Mexico 87109  
Phone: (505) 222-9543  
*Mondays - Fridays from 8:00 a.m. to 5:00 p.m.*  
Contact: *Cornelius Amindyas*

A copy of the draft Permit, the Chapter 12 Closure Plan amendment, the CMS Report, this Public Notice, and Fact Sheet, 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 Draft Chemical Waste Landfill Permit. To obtain a copy of the Administrative Record or a portion

thereof, please contact Ms. Pam Allen at (505) 476-6000, or at address given above. NMED will provide copies, or portions thereof, of the Administrative Record at a cost to the requestor.

NMED issues this public notice on **May 21, 2007**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m., July 20, 2007**. Any person who wishes to comment on the draft Permit, Closure Plan amendment, or CMS Report, or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. Only comments and/or requests received before **5:00 p.m. on July 20, 2007** will be considered.

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us  
Ref: SNL Chemical Waste Landfill

Written comments must be based on reasonably available information 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 draft Permit, Closure Plan amendment, or CMS Report including specific references to any conditions being addressed; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. Written comment and requests for Public Hearing must be filed with Mr. John Kieling on or before **5:00 p.m., July 20, 2007**. If the Secretary grants a hearing NMED will provide a thirty (30) day notice of a public hearing.

NMED must ensure that the approved draft Permit, Closure Plan amendment, and selection of a remedy from the CMS are consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted will be considered in formulating a final decision and may cause the draft Permit, Closure Plan amendment, or remedy selection to be modified. The Department will respond in writing to all public comments. This response will specify which provisions, if any, of the draft Permit, Closure Plan amendment, or remedy selection have been changed in the final decision and the reasons for the changes, and briefly describe and respond to all public comments raised during the public comment period. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail. These responses will also be posted on the Department's website.

After consideration of all the written public comments received, NMED will issue, or modify and issue, the Permit, Closure Plan amendment, and remedy selection. The Applicants shall be provided by mail a copy of any relevant modified documents and a detailed written statement of reasons for the modifications.

The Secretary of the New Mexico Environment Department will make the final decision publicly available and shall notify the Applicants by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act (Chapter 74, Article 4 NMSA 1978).

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

Persons having a disability and requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley at the New Mexico Environment Department, Human Resources Bureau, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone number: (505) 827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.