



BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1

Santa Fe, New Mexico 87505-6303

Phone (505) 476-6000 Fax (505) 476-6030

www.nmenv.state.nm.us



RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

January 15, 2008

SUBJECT: SECOND EXTENSION OF THE PUBLIC COMMENT PERIOD ON THE DRAFT HAZARDOUS WASTE PERMIT FOR LOS ALAMOS NATIONAL LABORATORY

Dear Interested Person:

Attached is a public notice extending, for a second time, the period for submission of public comments and requests for public hearing on the draft Hazardous Waste Facility Permit for Los Alamos National Laboratories (LANL). On August 27, 2007, the New Mexico Environment Department (NMED) issued an initial public notice to submit public comment and requests for public hearing by October 26, 2007. Since issuance of that initial notice, NMED received requests to extend the public comment period. NMED granted the extension and provided public notice on October 22, 2007 providing an extension to the public comment period until January 11, 2008.

NMED has received an additional request to extend the time period to submit comments. The public comment period shall be extended and NMED will now receive comments and requests for public hearing through **5:00 p.m. MST, February 1, 2008.**

The enclosed Public Notice provides locations where the administrative record, including the Permit Application, draft Permit, Fact Sheet, and supporting documentation, for this action 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. MST on February 1, 2008.**

Any person seeking additional information regarding this notice may contact:

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

Email: 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 No. 08-01

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO 87505
January 15, 2008**

**SECOND EXTENSION OF PUBLIC COMMENT PERIOD
CONCERNING THE DRAFT HAZARDOUS WASTE PERMIT FOR THE
LOS ALAMOS NATIONAL LABORATORY
EPA ID NO. NM0890010515**

This is a notice extending, for a second time, the period for submission of public comments and requests for public hearing on the draft Hazardous Waste Facility Permit for the Los Alamos National Laboratory (LANL). On August 27, 2007, the New Mexico Environment Department (NMED) issued an initial public notice to submit public comment and requests for public hearing by October 26, 2007. Since issuance of that initial notice, NMED received requests to extend the public comment period. NMED granted the extension and provided public notice on October 22, 2007 providing an extension to the public comment period until January 11, 2008.

NMED has received an additional request to extend the time period to submit comments. The public comment period shall be extended and NMED will now receive comments and requests for public hearing through **5:00 p.m. MST, February 1, 2008**.

PUBLIC REVIEW OF THE DRAFT PERMIT

The Administrative Record for this proposed action consists of the draft Permit, Public Notice, Fact Sheet, Permit Application, and 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*

A copy of the draft Permit, Public Notice, and Fact Sheet, and are also available on the NMED website at www.nmenv.state.nm.us/HWB/lanlperm.html under Draft 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 **January 15, 2008**, to announce the extension the comment period that will end at **5:00 p.m. MST, February 1, 2008**. Any person who wishes to comment on the draft Permit 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. MST, February 1, 2008** 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: LANL draft Permit

Written comments must be based on all reasonably available information and include, to the extent practicable, all referenced factual materials. Documents in the administrative record need not be resubmitted 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, including specific references to any Permit 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. MST, February 1, 2008**. NMED will provide a thirty (30) day notice of a public hearing, if granted.

NMED must ensure that the approved draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC). All written comments submitted on the draft Permit will be considered in formulating a final decision and may cause the draft Permit to be modified. NMED will respond in writing to all public comments. NMED's response will specify which provision, if any, of the draft Permit have been changed in the final Permit decision, the reasons for the change, and briefly describe and respond to all public comments on the draft Permit or the Permit application raised during the public comment period. All persons presenting written comments or who requested notification in writing will be notified of NMED's decision by mail. This response will also be posted on the NMED website.

After consideration of all the written public comments received, NMED will issue, or modify and issue the Permit. If NMED modifies and issues the Permit, the applicant shall be provided by mail a copy of the modified Permit and a detailed written statement of reasons for the modifications. The Secretary of the New Mexico Environment Department will make the final Permit decision publicly available and shall notify the applicant 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 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.