



NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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CINDY PADILLA
Deputy Secretary

www.nmenv.state.nm.us

November 5, 2007

**SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD FOR PROPOSED REMEDY
SELECTION FOR MATERIAL DISPOSAL AREA H, SOLID WASTE
MANAGEMENT UNIT 54-004, LOS ALAMOS NATIONAL LABORATORY**

Dear Interested Person:

Enclosed is a Public Notice regarding the intent of the New Mexico Environment Department (NMED) to select a remedy for material disposal area (MDA) H, solid waste management unit (SWMU) 54-004 at the Los Alamos National Laboratory (LANL).

LANL is owned by the U.S. Department of Energy (DOE) and is currently co-operated by the DOE and the Los Alamos National Security, LLC (LANS) (collectively, the Permittees). LANL is located within the county of Los Alamos, New Mexico about 60 miles north-northeast of Albuquerque and about 25 miles northwest of Santa Fe. The Permittees are located at the following addresses: DOE/National Nuclear Security Administration (NNSA), Los Alamos Site Office, 528 35th Street, Los Alamos, NM 87544; and LANL/LANS, P. O. Box 1663, Los Alamos, New Mexico, 87545. Ms. Lorrie Bonds-Lopez, Los Alamos National Laboratory, P.O. Box 1663, MS J591, Los Alamos, NM 87544.

The enclosed Public Notice provides locations where the Administrative Record for this action can be reviewed, and provides procedures for submitting comments and requesting a public hearing. Comments and requests for public hearing must be received no later than **5:00 p.m. MST, January 4, 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
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. 07-18

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
Santa Fe, NM 87505
November 5, 2007**

**NOTICE OF PUBLIC COMMENT PERIOD FOR PROPOSED REMEDY SELECTION
FOR MATERIAL DISPOSAL AREA H, SOLID WASTE MANAGEMENT UNIT 54-004
LOS ALAMOS NATIONAL LABORATORY
LOS ALAMOS, NEW MEXICO
EPA ID NO. NM0890010515**

Under the authority of the New Mexico Hazardous Waste Act (HWA, Section 74-4-1 to 74-4-14 NMSA 1978, as amended, 1992) and the New Mexico Hazardous Waste Management Regulations (HWMR, 20.4.1 NMAC), the New Mexico Environment Department (NMED) proposes to select, pending public input into this decision, the remedy for corrective action at Material Disposal Area (MDA) H, solid waste management unit (SWMU) 54-004 at Technical Area 54. This will constitute a modification to the Resource Conservation and Recovery Act hazardous waste management Permit (RCRA Permit) issued to the Los Alamos National Laboratory (LANL) that is owned by U.S. Department of Energy (DOE) and is currently co-operated by DOE and Los Alamos National Security, LLC (LANS) (collectively, the Permittees).

On November 8, 1989, a RCRA Permit (Permit) was issued to the Permittees to operate a hazardous waste treatment and storage facility at LANL pursuant to the HWA § 74-4-4.2. On January 15, 1999, the Permittees applied to the NMED to renew their RCRA Permit. The 1989 Permit remains in effect until a final decision is made on the renewal request. On March 1, 2005, NMED and the Permittees entered into a Compliance Order on Consent (Consent Order) that prescribed fence-to-fence cleanup requirements at LANL. NMED is in the process of modifying the RCRA Permit so that all corrective action will be conducted under the Consent Order with the exception of four categories of corrective action listed in Section III.W.1 of the Consent Order.

LANL is a research laboratory that began operations in 1943 when the United States Army Manhattan Engineer District was established for the research and development of the atomic bomb. The principal mission of LANL includes the research, design, development, and analysis of weapons components for the nation's nuclear arsenal. Current and historic operations include

nuclear physics; hydrodynamics; conventional explosives; chemistry; metallurgy; radiochemistry; biology; medium-energy physics; space nuclear systems; controlled thermonuclear fusion; laser research; environmental research; geothermal, soil, and fossil energy research; nuclear safeguards; biomedical research; space physics; electrical research and development; laser design and development; and photographic processing.

LANL is located in Los Alamos County, an incorporated county, in north-central New Mexico, approximately 60 miles north-northeast of Albuquerque and 25 miles northwest of Santa Fe. LANL occupies an area of approximately 40 square miles situated on the Pajarito Plateau. The plateau consists of a series of finger-like mesas separated by deep west to east trending canyons. The mesa tops range in elevation from approximately 7,800 feet above mean sea level at the flank of the Jemez Mountains, located to the west of Los Alamos, to about 6,200 feet above mean sea level at their eastern extent, where they terminate above the Rio Grande River.

The Permittees are located at the following addresses: DOE/National Nuclear Security Administration (NNSA), Los Alamos Site Office, 528 35th Street, Los Alamos, NM 87544; and LANL/LANS, P. O. Box 1663, Los Alamos, New Mexico, 87545. The Permittees' primary contact for this action is: Ms. Lorrie Bonds-Lopez, Los Alamos National Laboratory, P.O. Box 1663, MS J591, Los Alamos, NM 87544.

The HWMR requires corrective action at MDA H (SWMU 54-004), where releases of hazardous waste have occurred. The Permittees must comply with the HWA, the HWMR and the Consent Order, for this corrective action. The MDA H consists of nine inactive disposal shafts; each shaft is cylindrical with a diameter of 6 ft and a depth of 60 ft. From May 1960 until August 1986, MDA H received classified, solid-form waste generated by the Laboratory. The shafts contain various hazardous chemicals, radionuclide-contaminated materials, and materials contaminated by high explosives.

The Permittees conducted a Corrective Measures Study (CMS) and submitted a revised CMS Report to NMED in June, 2005. The Permittees proposed five corrective measure alternatives for MDA H, including three containment alternatives and two removal alternatives. The Permittees recommended construction of an engineered evapotranspiration (ET) cover with long-term maintenance and monitoring, as the preferred corrective measure. However, NMED does not consider the ET cover to be protective against current and future releases of contaminants from the shafts. NMED is proposing to select alternative 3b, complete encapsulation and engineered ET cover proposed by the Permittees. In addition, NMED is proposing that Permittees install a soil-vapor extraction (SVE) system, as part of the corrective measure to mitigate and control subsurface vapor phase contamination at MDA H. More detailed information on proposed alternatives is provided in the Fact Sheet/Statement of Basis.

PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD

Availability of Additional Information: The administrative record for this proposed action consists of this public notice, a Fact Sheet/Statement of Basis, and other relevant correspondence and documents. The Administrative Record may be reviewed at the following location during the public comment period:

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

The Public Notice, Fact Sheet/Statement of Basis, Work Plan, and Consent Order are also available on the NMED website at <http://www.nmenv.state.nm.us/hwb/lanlperm.html> under MDA H Remedy Selection. To obtain a copy of the Administrative Record or a portion thereof, please contact Pam Allen at (505) 476-6000, or at the NMED address given above. NMED will provide copies, or portions thereof, of the administrative record at a cost to the requestor.

Comment Period and Environment Department Contact: NMED issued this public notice on **November 5, 2007**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MST, January 4, 2007**. Any person who wishes to comment on this action should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the address below. Only comments received on or before **5:00 p.m. MST, January 4, 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, NM 87505-6303
Phone: (505) 476-6000
Or via e-mail: john.kieling@state.nm.us
Reference: LANL Remedy Selection for MDA H

Written comments must be based on 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. Members of the Public may request a public hearing on the proposed action. 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 proposed remedy selection; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing.

Final Decision: NMED must ensure that the approved selected remedy is consistent with the HWA, the HWMR, and the Consent Order. All written comments submitted on this matter will become part of the administrative record, be considered in formulating a final decision, and may cause the proposed selected remedy to be modified. NMED will respond in writing to all written public comments. NMED's response to comments will specify which sections, if any, of the proposed selected remedy have been changed in the final decision, the reasons for the change, and will briefly describe and respond to all public comments received during the public comment period. NMED's response to comments will also be posted on the NMED website in addition to being sent to all persons who submitted written comments.

After consideration of all the written public comments received, NMED will approve, disapprove, or approve the proposed selected remedy with modifications. In all cases, the Permittees will be provided by certified mail a copy of the final selected remedy and a detailed written statement of reasons for the modifications. NMED will make the final decision available to the public.

Arrangements for Persons with Disabilities: Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley at the following address: New Mexico Environment Department, Room N-4030, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico 87502-6110, (505) 827-9872. TDD or TDY users please access Judy Bentley's number via the New Mexico Relay Network. Albuquerque users may access Ms. Bentley's number at (505) 275-7333.