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NEW MEXICO ENVIRONMENT DEPARTMENT



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PUBLIC NOTICE NO. 16-04

NEW MEXICO ENVIRONMENT DEPARTMENT - HAZARDOUS WASTE BUREAU SANTA FE, NEW MEXICO March 2016

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND PUBLIC MEETINGS ON DRAFT COMPLIANCE ORDER ON CONSENT LOS ALAMOS NATIONAL LABORATORY LOS ALAMOS, NEW MEXICO EPA ID NO. NM0890010515

Under the authority of the New Mexico Hazardous Waste Act, NMSA 1978, §§ 74-4-1 to 74-4-14, and the New Mexico Hazardous Waste Management Regulations, 20.4.1 NMAC, the New Mexico Environment Department (NMED) announces release of a draft Compliance Order on Consent (Draft Consent Order) which will supersede the March 1, 2005 Compliance Order on Consent (2005 Consent Order) for Los Alamos National Laboratory.

On March 1, 2005, NMED and the U.S. Department of Energy (DOE) and the Regents of the University of California entered into the 2005 Consent Order that prescribed fence-to-fence cleanup requirements for the Laboratory. Any scope of work not completed under the 2005 Consent Order will be carried forward by inclusion in the Draft Consent Order.

NMED initiated public discussion and feedback on this Draft Consent Order through presentations of the concepts and objectives of the document at the November 12, 2015 Northern New Mexico Citizen Advisory Board (NNMCAB) meeting and the November 13, 2015 Regional Coalition of Los Alamos Communities (RCLC) meeting. In addition, NMED has met with other interested stakeholders, including tribes, local governments and non-governmental organizations, since November for feedback on NMED's recommended approach to the Draft Consent Order.

NMED also announces the following opportunities for public comment:

- March 30, 2016 – NNM CAB Meeting – Sandia Resort, Albuquerque, 1:00-5:00 PM
- April 8, 2016 – RCLC – Espanola City Council Chambers, 9:00-11:00 AM
- April 28, 2016 – (NMED) Los Alamos County Council Chambers, 5:00-7:00 PM

NMED will also schedule meetings with individual stakeholders, as requested, during the 45-day public comment period of March 30, 2016 – May 16, 2016 to solicit input, address concerns, and answer questions about the Draft Consent Order.

Following the closure of the public comment period, NMED is scheduled to present at the May 18, 2016, NNM CAB Meeting at the Cities of Gold Hotel, 10-A Cities of Gold Road, Santa Fe, New Mexico from 1:00 P.M. to 5:00 P.M. This will be an opportunity for NMED to discuss the comments received during the public comment period in relation to the Draft Consent Order.

PUBLIC REVIEW OF THE RECORD

Availability of Additional Information: Documents related to this proposed action consist of this Public Notice, the Draft Consent Order, the 2005 Consent Order and other relevant Consent Order-related correspondence and documents. The documents 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
Monday – Friday: 8:00 a.m. to 5:00 p.m.
Phone: (505) 476-6000 - Contact: Pam Allen

The Public Notice and Draft Consent Order are also available on the NMED website at <https://www.env.nm.gov/HWB/lanlperm.html> under Consent Order. To obtain a copy of the documents or a portion thereof, please contact Pam Allen at (505) 476-6000, via electronic mail (e-mail) at pam.allen@state.nm.us, or at the NMED address given above. NMED will provide copies, or portions thereof, of documents at a cost to the requestor.

Comment Period and Environment Department Contact: NMED issued a public notice on **March 30, 2016**, to announce the beginning of a 45-day comment period that will end at **5:00 p.m., May 16, 2016**. Any person who wishes to comment on this action should submit written or electronic (e-mail) comment(s) with the commenter's name and address to the address below. Only comments received on or before **May 16, 2016 at 5:00 PM MDT** will be considered.

Kathryn Roberts, Director
Resource Protection Division - New Mexico Environment Department
P.O Box 5469
Santa Fe, NM 87502-5469
Or via e-mail: kathryn.roberts@state.nm.us
Reference: Draft LANL Consent Order

Written comments must be based on information available for review and include, to the extent practicable, all referenced factual materials. Documents currently in the possession of NMED in relation to the Draft Consent Order (e.g., the 2005 Consent Order) need not be re-submitted if expressly referenced by the commenter.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability and requiring assistance or auxiliary aid to participate in this process should contact J.C. Borrego, NMED, Room S-4303, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, TDD or TDY users please access Mr. Borrego's number via the New Mexico Relay Network at 1-800-659-8331.