



NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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2905 Rodeo Park Drive East, Building 1

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

CINDY PADILLA
Deputy Secretary

www.nmenv.state.nm.us

September 20, 2007

SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD AND INTENT TO APPROVE A CLASS 3 PERMIT MODIFICATION OF THE RCRA PERMIT FOR SANDIA NATIONAL LABORATORIES

Dear Interested Person:

Enclosed is a **Public Notice** regarding the intent to approve a proposed Class 3 permit modification of the U. S. Department of Energy (DOE)/Sandia Corporation's (Permittees) Resource Conservation and Recovery Act Permit for Sandia National Laboratories (SNL). The DOE is owner, and with Sandia Corporation, co-operator of SNL. 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 enclosed Public Notice provides locations where the administrative record, including the Permit modification request, Fact Sheet /Statement of Basis, and related documents 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.** on **November 19, 2007.**

Any person seeking additional information regarding this notice or the draft permit may contact:

Mr. John E. Kieling
NMED - Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505-6303
E-mail: john.kieling@state.nm.us
Telephone: (505) 476-6000
Fax: (505) 476-6030

Mr. William Moats
NMED - Hazardous Waste Bureau
5500 San Antonio NE
Albuquerque, NM 87109
E-mail: william.moats@state.nm.us
Telephone: (505) 222-9551
Fax: (505) 222-9510

Sincerely,

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



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RON CURRY
Secretary

CINDY PADILLA
Deputy Secretary

PUBLIC NOTICE NO. 07-15

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO
September 20, 2007**

**NOTICE OF PUBLIC COMMENT PERIOD AND INTENT TO APPROVE A PERMIT
MODIFICATION OF THE U. S. DEPARTMENT OF ENERGY/SANDIA CORPORATION'S
RCRA PERMIT FOR SANDIA NATIONAL LABORATORIES**

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 *et seq.*, NMSA 1978, as amended, 1992) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), the New Mexico Environment Department (NMED) can approve or deny hazardous waste permits, closure plans, permit modifications, and amendments. Under this authority, NMED intends to approve, pending public input into this decision, a modification of the RCRA Permit issued to the U. S. Department of Energy (DOE)/Sandia Corporation (Permittees) for Sandia National Laboratories (SNL), located in Bernalillo County, New Mexico, EPA ID# NM5890110518.

SNL, in operation since 1945, is engaged in research and development of conventional and nuclear weapons, alternative energy sources, and a wide variety of national security related research and development. As a result of these activities, SNL has generated hazardous, radioactive, mixed (those wastes containing both hazardous and radioactive components), and solid wastes. From 1945 to 1988 most of these wastes were disposed of at SNL at numerous locations which have been classified by the NMED as solid waste management units (SWMUs) or areas of concern (AOCs). The SWMUs and AOCs include landfills, septic system, outfalls, waste piles and test areas. Past waste management activities at SNL have caused the release of hazardous and radioactive contaminants into the environment.

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. John Gould, NNSA/Sandia Site Office, DOE, at P.O. Box 5400, Albuquerque, NM 87185.

If approved, the proposed modification would grant Corrective Action Complete (CAC) status (No-Further-Action) for twenty-eight (28) SWMUs/AOCs. Eight of the SWMU/AOCs will be granted NFA status with controls. Table A.1, Module IV of SNL's RCRA Permit, lists SWMU/AOCs at the SNL Facility where corrective action is necessary to characterize and/or remediate past releases of hazardous wastes or hazardous waste constituents. If this modification is approved by the NMED, the listings for the 28 SWMUs/AOCs will be transferred from Table A.1 to Table A.2 as SWMU/AOCs that have been approved for CAC.

All twenty-eight of the SWMUs proposed for CAC by the Permittees were characterized and/or remediated in accordance with current applicable state or federal regulations. Based on risk assessment results of residual contaminants, NMED intends to restrict future land use at SWMUs 1, 3, 45, 137, 148, 152, 276 and 1081 to industrial use only.

The following SWMUs/AOCs are proposed for CAC:

	SWMU/AOC ID Number	SWMU/AOC Name
1	ER Site 1	Radioactive Waste Landfill
2	ER Site 3	Chemical Disposal Pit
3	ER Site 45	Liquid Discharge (behind TA-IV)
4	ER Site 78	Gas Cylinder Disposal Pit
5	ER Site 137	Building 6540/6542 Septic System (TA-III)
6	ER Site 146	Building 9920 Drain System (Coyote Test Field)
7	ER Site 148	Building 9927 Septic System (Coyote Test Field)
8	ER Site 152	Building 9950 Septic System (Coyote Test Field)
9	ER Site 153	Building 9956 Septic Systems (Coyote Test Field)
10	ER Site 276	Former Building 829X, Silver Recovery Sump (TA-I)
11	AOC 1004	Building 6969 Septic System (Robotic Vehicle Range)
12	AOC 1031	Former Buildings 6589 and 6600 Septic System (TA-III)
13	AOC 1034	Building 6710 Septic System (TA-III)
14	AOC 1035	Building 6715 Septic System (TA-III)
15	AOC 1036	Building 6922 Septic System (TA-III)
16	AOC 1052	Building 803 Seepage Pit (TA-I)
17	AOC 1078	Building 6640 Septic System (TA-III)
18	AOC 1079	Building 6643 Septic System (TA-III)
19	AOC 1080	Building 6644 Septic System (TA-III)
20	AOC 1081	Building 6650 Septic System (TA-III)
21	AOC 1084	Building 6505 Septic System (TA-III)
22	AOC 1087	Building 6743 Seepage Pit (TA-III)
23	AOC 1092	MO 228-230 Septic System (TA-III)
24	AOC 1098	TA-V Plenum Rooms Drywell (TA-V)
25	AOC 1102	Former Building 889 Septic System (TA-I)
26	AOC 1104	Building 6595 Seepage Pit (TA-V)
27	AOC 1113	Building 6597 Drywell (TA-V)
28	AOC 1120	Building 6643 Drywell (TA-III)

Furthermore, the comment “controls needed” is also being added to the listings in Table A.2 for SWMU/AOCs 1, 3, 45, 137, 148, 152, 276 and 1081 due to the need to restrict future land-use to industrial use.

PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD

The Administrative Record for this proposed action consists of the SNL Permit modification request, the Statement of Basis/Fact Sheet, this Public Notice, the draft Permit that consists of the proposed Tables A.1 and A.2, and the referenced supporting documentation. The complete Administrative Record may be reviewed at the following location during the public comment period with prior appointment:

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

A copy of the Statement of Basis/Fact Sheet, the Public Notice, and the draft Permit that consists of the proposed Tables A.1 and A.2, are available electronically on the NMED website at: www.nmenv.state.nm.us/HWB/snlperm.html under No Further Action or may be reviewed at the following location during the public comment period with prior appointment:

NMED-District 1 Albuquerque Office
5500 San Antonio NE
Albuquerque, New Mexico 87109
(505) 222-9551
Monday - Friday from 8:00 a.m. to 5:00 p.m.
Contact: William Moats

Any person seeking additional information regarding this notice or the draft permit may also contact:

Mr. John E. Kieling, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, New Mexico 87505-6303
E-mail: john.kieling@state.nm.us
Telephone: (505) 476-6000
Fax: (505) 476-6030

To obtain a copy of the Administrative Record or a portion thereof, in addition to further information, please contact Ms. Pamela Allen at (505) 476-6000, or at the Santa Fe address given above. NMED will provide copies, or portions thereof, of the Administrative Record at a charge to the requestor.

NMED issues this public notice on **September 20, 2007** to announce the beginning of a 60-day comment period that will end at **5:00 p.m., November 19, 2007**. Any person who wishes to comment on this action 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 on or before **5:00 p.m., November 19, 2007** will be considered.

John E. Kieling, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505-6303
Ref: Sandia National Laboratories – 27 No Further Action Petitions, February 2005
E-mail: john.kieling@state.nm.us

Written comments must be based on the Administrative Record. Documents in the Administrative Record need not be re-submitted if 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 proposed action, including specific references; and (4) a statement of the issues which such persons propose 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., November 19, 2007**. The NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

The NMED must ensure that the approved final Permit will be consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted on the draft Permit will become part of the administrative record, will be considered in formulating a final decision, and may cause the draft Permit to be modified. NMED will respond in writing to all significant public comment. The response will specify which provisions, if any, of the draft Permit have been changed in the final Permit decision, and the reasons for the change. This response will also be posted on the NMED website in addition to NMED notifying all persons providing written comments.

After consideration of all written public comments received, NMED will issue, or modify and issue, or disapprove the Permit modification. If NMED modifies the Permit, the Permittees shall be provided by mail a copy of the modified Permit and a detailed written statement of reasons for the modifications. The NMED Secretary will make the final Permit decision publicly available and shall notify the Permittees by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act. All persons on the mailing list, or that provided written comments, or who requested notification in writing, will be notified of the final decision by mail.

The final decision will become effective thirty days after service of the decision to the Permittees, unless a later date is specified or review is requested under the New Mexico Hazardous Waste Management Regulations, 20.4.1 NMAC, Section 901.E, *Hearings*.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley by 10 days prior to the end of the public comment period 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 Ms. Bentley's number via the New Mexico Relay Network at 1-800-659-8331.