



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

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RON CURRY
Secretary

CINDY PADILLA
Deputy Secretary

December 10, 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. MST on February 27, 2008**.

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

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

Mr. William Moats
New Mexico Environment Department
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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PUBLIC NOTICE NO. 07-22

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO
December 10, 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-six (26) SWMUs/AOCs. Table A.1, Module IV of the Permittees' 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. Based on public comments, it is possible that CAC status will not be approved for some of the SWMU/AOCs included in this permit modification request. If any SWMU/AOCs are not approved for CAC status, their names will remain listed on Table A.1. If this modification is approved by the Department for some or all of the 26

SWMU/AOCs the listings of the approved SWMU/AOCs would be transferred from Table A.1 to Table A.2. Table A.2 lists SWMU/AOCs for which corrective action is not required.

The following SWMUs/AOCs are proposed for CAC: 1) SWMU 4, *LWDS Surface Impoundment/Liquid Disposal System*; 2) SWMU 5, *LWDS Drainfield/Liquid Disposal System*; 3) SWMU 46, *Old Acid Waste Line Outfall*; 4) SWMU 49, *Buidling 9820 Drains, Lurance Canyon*; 5) SWMU 52, *LWDS Holding Tanks*; 6) SWMU 68, *Old Burn Site*; 7) SWMU 91, *Lead Firing Site*; 8) SWMU 101, *Building 9926 Explosive Contaminated Sumps and Drains*; 9) SWMU 116, *Building 9990 Septic System*; 10) SWMU 138, *Building 6630 Septic System*; 11) SWMU 140, *Building 9965 Septic System, Septic Tanks, and Drainfields*; 12) SWMU 147, *Building 9925 Septic System, Septic Tanks, and Drainfields*; 13) SWMU 149, *Building 9930 Septic System*; 14) SWMU 150, *Building 9939/9939A Septic System, Septic Tanks, and Drainfields*; 15) SWMU 154, *Building 9960 Septic System, Septic Tanks, and Drainfields*; 16) SWMU 161, *Building 6636 Septic System*; 17) SWMU 196, *Building 6597 Cistern*; 18) SWMU 233, *Storm Drain System Outfall*; 19) SWMU 234, *Storm Drain System Outfall*; 20) AOC 1090, *Building 6721 Septic System*; 21) AOC 1094, *Live Fire Range East Septic System (Lurance Canyon)*; 22) AOC 1095, *Building 9938 Seepage Pit (Coyote Test Field)*; 23) AOC 1114, *Building 9978 Drywell*; 24) AOC 1115, *Former Offices Septic System*; 25) AOC 1116, *Building 9981A Seepage Pit*; and 26) AOC 1117, *Building 9982 Drywell, Solar Tower Complex*.

Furthermore, the comment “controls needed” is also being added to the listings in Table A.2 for SWMU/AOCs 4, 46, 52, 68, 91, 154, 196, 234, and 1090 due to the need to restrict future land-use to industrial use. In addition, NMED intends to list the contaminated groundwater at Technical Area V as a SWMU on the Permittees’ RCRA Permit, given the relationship of the contaminated groundwater in particular to SWMU 5 (Liquid Waste Disposal System Drainfield). SWMU 5 is among those being proposed for CAC; however, additional corrective action is required for the groundwater, which is listed in Table XI-3 of the Sandia Order on Consent (April 29, 2004) as “TA-V Groundwater”. Similarly, the NMED also intends to list the contaminated groundwater at the Burn Site as a SWMU (also listed on Table XI-3 of the Order on Consent as “Burn Site Groundwater”).

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
New Mexico Environment Department - Hazardous Waste Bureau
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 **December 10, 2007** to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MST, February 8, 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. MST, February 8, 2008** 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. MST, February 8, 2008**. 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.