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*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

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PETER MAGGIORE  
SECRETARY

**PUBLIC NOTICE NUMBER 02-03**

**NEW MEXICO ENVIRONMENT DEPARTMENT  
HAZARDOUS WASTE BUREAU  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303**

**May 8, 2002**

**NOTICE OF AVAILABILITY**

**PROPOSED REVISION  
ANNUAL UPDATE TO SITE TREATMENT PLAN  
FEDERAL FACILITIES COMPLIANCE ORDER  
LOS ALAMOS NATIONAL LABORATORY**

On October 4, 1995, the New Mexico Environment Department (NMED) issued a Federal Facility Compliance Order (FFCO) to the United States Department of Energy (DOE) and the University of California (UC) (collectively Respondents), requiring compliance by Respondents with a Site Treatment Plan (STP) for the treatment of mixed waste at the Los Alamos National Laboratory (LANL), pursuant to the New Mexico Hazardous Waste Act (HWA), NMSA 1978 §§ 74-4-1 *et seq.* and Section 3021(b) of the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 *et seq.*, as amended by the Federal Facility Compliance Act (FFCA), Pub. L. 102-386, 106 Stat. 1505.

Under the terms of the FFCA and the FFCO, Respondents may store and treat mixed waste at LANL in excess of Land Disposal Restriction (LDR) time limitations under Section 3004(j) of RCRA and 20.4.1.700 NMAC (incorporating 40 CFR Part 268), if Respondents have in place an effective STP and Respondents manage waste at LANL in accordance with the STP.

Under Section VII of the FFCO, Respondents are required to annually submit a proposed update of the STP to NMED for NMED review, comment, and approval. NMED is required to public notice the proposed annual update in accordance with Section X of the FFCO. The purpose of the annual update is to bring the STP current to the end of the previous federal fiscal year and to

provide a summary of the current status of Respondents' progress in implementing the STP, including proposed revisions, technology development, funding, and other concerns that may affect implementation of the STP.

On March 14, 2002, Respondents submitted to NMED Revision 12.0 to the STP, proposing the following changes: (1) Adding and deleting mixed waste volumes reported in the FY01 *Annual Update*; (2) Extending Compliance Plan Volume (CPV) Activity, Combustible Debris, Activated or Inseparable Lead, Noncombustible Debris, 3.1.5A, Compliance Date to August 25, 2003, (3) Extending CPV Activity, Halogenated Organic Liquids, Nonhalogenated Organic Liquids, Bulk Oils, PCB Wastes with RCRA Components, Liquid and Solid Oxidizers, 3.1.11A, Compliance Date to February 1, 2004; (4) Removing the requirement to develop treatment technologies and the associated compliance schedule in CPV Activity, Mixed Transuranic (MTRU) Waste, 4.0, and adding language specifying that MTRU waste will be shipped off-site to the Waste Isolation Pilot Plant for disposal.

A copy of Respondents' proposed revisions with detailed descriptions is available for public review at the following location:

Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303  
Contact: Pam Allen, 505-428-2531

LANL Community Relations Reading Room  
1619 Central Avenue  
Los Alamos, NM 87544  
Contact: Linda Anderman, 505-665-9196

Pursuant to Section VII and Section X of the FFCO, NMED will accept public comments for 30 days from the date of this Notice of Availability. Any person who wishes to comment on the proposed revision may submit written comments to Carl Will, Hazardous Waste Bureau, at the above address, prior to 5:00 p.m. June 10, 2002.

All written comments will become part of the administrative record and will be considered by NMED in its decision whether or not to approve the proposed revision. NMED will approve, modify and approve, or deny the proposed revision within six months of NMED's receipt of the proposed revision. NMED will notify Respondents and each person who submitted a written comment during the public comment period of NMED's final decision.