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State of New Mexico
ENVIRONMENT DEPARTMENT

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PUBLIC NOTICE NO. 05-08

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
Santa Fe, New Mexico 87505
August 1, 2005

NOTICE OF AVAILABILITY
REVISION 15.0 OF THE LOS ALAMOS NATIONAL LABORATORY
FEDERAL FACILITY COMPLIANCE ORDER

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for most provisions of the Resource Conservation and Recovery Act (RCRA). The Federal Facilities Compliance Act is coded in RCRA §6001. Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 NMSA 1978 (CUM. SUPP.) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), the New Mexico Environment Department (NMED) may issue Federal Facility Compliance Orders to federal facilities located within New Mexico's borders.

On October 4, 1995, the NMED issued a Federal Facility Compliance Order (FFCO) to the United States Department of Energy (DOE) and the University of California (UC) (collectively the Respondents), requiring compliance by Respondents with a Site Treatment Plan (STP) for the treatment of mixed waste at the Los Alamos National Laboratory (LANL). The FFCO requires a Site Treatment Plan (STP) Compliance Plan Volume (CPV) for the treatment and disposal of mixed waste at LANL. The Respondents must comply with the New Mexico Hazardous Waste Act, NMSA 1978, §§74-4-1 (1998 CUM. SUPP.) and section 3012(b) of RCRA, 42 U.S.C. §6939(c), as amended by the Federal Facility Compliance Act of 1992, Public Law 102-386, 106 Stat. 1505 (1992). Under Section X "Revisions" of the FFCO, all proposed or required revisions shall be made available for public review and comment.

The Respondents have requested Revision 15.0 to the FFCO. This revision includes changes in covered waste inventories that have been reported in the STP Fiscal Year Update reports received by the NMED since the FFCO was issued on October 4, 1995. Revision 15.0 includes the addition/deletion of mixed waste volumes, modification of certain compliance dates associated with specific treatability groups, and expedited shipments. NMED may approve, approve with modifications, or disapprove the proposed revision. However, pending public input, NMED intends to approve the requested revision because its impact is negligible in terms of the total amount of mixed wastes managed at LANL during upcoming years.

The administrative record for this notice of intent to approve the revisions includes operational data and proof of shipment offsite for treatment or disposal. The proposed Revision 15.0 and the administrative

record may be reviewed during the 30-day public comment period from **August 1, 2005** through **August 31, 2005** at:

New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico, 87505-6303
Contact: Pam Allen (505) 428-2500
8:00 a.m. and 5:00 p.m., Monday – Friday

The proposed Revision 15.0 may be reviewed during the 30-day public comment period at:

Los Alamos National Laboratory
Community Relations Office
1619 Central Avenue
Los Alamos, New Mexico, 87544
Contact: Linda Anderman (505) 665-9196
8:00 a.m. and 5:00 p.m., Monday – Friday

Revision 15.0 of the STP and this public notice are also available on the NMED website at <http://www.nmenv.state.nm.us/HWB/lanlperm.html> under Federal Facility Compliance Order.

To obtain a copy of the Administrative Record or a portion thereof please contact Ms. Pam Allen at (505) 428-2500, or at the NMED address given above. NMED will provide copies, or portions thereof, of the administrative record at a cost to the requestor.

Any person who wishes to comment on the draft Permit or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the address below. Only comments and/or requests received on or before **5:00 p.m., August 31, 2005** will be considered.

John E. Kieling, Program Manager
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Ref: Los Alamos National Laboratory

All written comments submitted on this proposed action will be considered in formulating a final decision and may cause the revision to be modified. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail.