



BILL RICHARDSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Telephone (505) 428-2500
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RON CURRY
SECRETARY

October 27, 2006

SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD AND INTENT TO APPROVE REVISION 16.0 OF THE LOS ALAMOS NATIONAL LABORATORY FEDERAL FACILITY COMPLIANCE ORDER

Dear Interested Citizen:

Enclosed is a **Public Notice** regarding the intent to approve revision 16.0 of the Los Alamos National Laboratory Federal Facility Compliance Order (FFCO). The United States Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) (collectively the Respondents), are the owners and operators of Los Alamos National Laboratory. The Respondents contact personnel for the FFCO are: LANS, Mr. Albert Dye, Site Treatment Plan Project Manager, Waste Disposition Program, P. O. Box 1663, Mail Stop K490, Los Alamos, New Mexico 87545-1663, and DOE, Mr. James G. Nunz, Waste Management Program Manager, Los Alamos Site Operations, 528 35th Street, Los Alamos, New Mexico 87544.

The enclosed Public Notice provides locations where the administrative record, including the Revision 16 of the FFCO Annual Site Treatment Plan Update for Fiscal Year 2005 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 27, 2006**.

Any person seeking additional information regarding this notice or the FFCO Revision 16 Annual Site Treatment Plan Update for Fiscal Year 2005 may contact:

Mr. John E. Kieling
NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303
E-mail: john.kieling@state.nm.us
Telephone: (505) 428-2500
Fax: (505) 428-2567

Ms. Lee Winn
NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303
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Telephone: (505) 428-2541
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Sincerely,

John E. Kieling
Manager
Permits Management Program



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PUBLIC NOTICE NO. 06-13

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
Santa Fe, New Mexico 87505
October 27, 2006

NOTICE OF AVAILABILITY
REVISION 16.0 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.)) 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 16.0 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 16.0 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 16.0 and the administrative record may be reviewed at NMED, Hazardous Waste Bureau, 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico, 87505-6303, between the hours of 8:00 a.m. and 5:00 p.m. for a period of thirty (30) days beginning **October 27, 2006** and ending on **November 27, 2006**, and at the Los Alamos National Laboratory, Community Relations Office, 1619 Central Avenue, Los Alamos, New Mexico, 87544, between the hours of 8:00 a.m. and 5:00 p.m. The contact person at the Community Relations Office is Linda Anderman. A copy of Revision 16.0 is also available on the NMED website at [http://www.nmenv.state.nm.us/HWB/lanlperm.html_under Federal Facility Compliance Order](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, in addition to further information, please contact Lee Winn at (505) 428-2541, or the address given below. The NMED will provide members of the public with up to 80 pages of the Administrative Record free of charge. Thereafter, NMED will charge a copy fee of \$0.25 per page.

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. November 27, 2006** will be considered.

John E. Kieling, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303
Ref: Los Alamos National Laboratory
e-mail: john.kieling@state.nm.us

All written comments submitted on the draft Permit 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.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Persons having a disability and requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley at the New Mexico Environment Department, Personnel Services Bureau, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.