



PUBLIC NOTICE NO. 24-04

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO
October 1, 2024**

NOTICE OF AVAILABILITY OF THE U. S. DEPARTMENT OF ENERGY/ NATIONAL TECHNOLOGY & ENGINEERING SOLUTIONS OF SANDIA, LLC. PROPOSED REVISION No. 17 OF THE FEDERAL FACILITY COMPLIANCE ORDER SITE TREATMENT PLAN COMPLIANCE PLAN VOLUME

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, NMED issued a Federal Facility Compliance Order (FFCO) to the United States Department of Energy/National Nuclear Security Administration (DOE/NNSA) and Sandia Corporation (Sandia) for the Sandia National Laboratories (SNL) Facility. DOE/NNSA is the owner, and Sandia Corporation is the operator of SNL. The FFCO requires a Site Treatment Plan (STP) Compliance Plan Volume (CPV) for the treatment and disposal of mixed waste generated at SNL. Mixed waste is waste that contains both hazardous and radioactive components. DOE/NNSA and Sandia 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 STP CPV, all proposed or required revisions shall be made available for public review and comment.

Revision No. 17 comprises two Parts: X.C.2.a and X.C.2.b. If approved, revisions under Part X.C.2.a would set a new Compliance Date for all treatment technologies and associated treatability groups (TG) of December 31, 2028. The current STP CPV Compliance Dates will expire in December 2024; therefore, setting new Compliance Dates is necessary. The volumes for each TG will also be changed to reflect current inventory, if necessary.

If approved, revisions under Part X.C.2.b will establish a Compliance Date for the current and future inventory MTRU Waste that is destined for the Waste Isolation Pilot Plant (WIPP). As WIPP is currently accepting MTRU wastes on a limited basis, the Compliance Date for the treatment and disposal of all waste in this TG will be set to December 31, 2028.

PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD

The Administrative Record for this proposed action consists of the proposed Revision No. 17, all earlier revisions, the FFCO, various deletion requests, and other FFCO-required documents. 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: Naomi Gonzalez

A copy of the Public Notice and the proposed Revision No. 17 are available electronically on the NMED website at: <https://www.env.nm.gov/hazardous-waste/sandia-national-laboratories/> under the link “Federal Facilities Compliance Order”.

Any person seeking additional information regarding this notice, the FFCO, or STP may also contact:

Ms. Neelam Dhawan, Program Manager
Hazardous Waste Bureau - NMED
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
E-mail: neelam.dhawan@env.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. Naomi Gonzalez 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 October 1, 2024 to announce the beginning of a 30-day comment period that will end at **5:00 p.m. MST, October 30, 2024**. Any person who wishes to comment on the proposed Revision No. 17 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, October 30, 2024** will be considered.

Neelam Dhawan, Acting Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303
E-mail: neelam.dhawan@env.nm.gov
Ref: Sandia National Laboratories – FFCO Revision No. 17

Written comments must be based on the Administrative Record. Documents in the Administrative Record need not be re-submitted if referenced by the commenter. All written comments submitted on the proposed Revision No. 17 will become part of the Administrative Record, will be considered in formulating a final decision, and may cause the NMED to modify the revision. All persons that provided written comments, or who requested notification in writing, will be notified of the final decision by mail.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Kate Cardenas, Non-Discrimination Coordinator, by phone at (505) 469-0732, or via email at: nd.coordinator@env.nm.gov. Toll-free numbers are available for TDD or TDY users to access the New Mexico Relay Network at 1-800-659-1779 (voice); TTY users: 1-800-659-8331.

DISCRIMINATION

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's nondiscrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to a NMED program or activity, you may contact:

Kate Cardenas, Non-Discrimination Coordinator,
NMED, 1190 St. Francis Dr., Suite N4050,
P.O. Box 5469, Santa Fe, NM 87502,
(505) 827-2855,
nd.coordinator@env.nm.gov.

You may also visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.