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ENVIRONMENT DEPARTMENT

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PUBLIC NOTICE NO. 19-002

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO
May 24, 2019

NOTICE OF PUBLIC COMMENT PERIOD FOR THE U. S. DEPARTMENT OF ENERGY/ NATIONAL TECHNOLOGY & ENGINEERING SOLUTIONS OF SANDIA, LLC MIXED WASTE LANDFILL FIVE-YEAR REPORT FOR SANDIA NATIONAL LABORATORIES

The New Mexico Environment Department issues for public comment the Sandia National Laboratories Mixed Waste Landfill Five-year Report. The Secretary of the New Mexico Environment Department (NMED) approved a remedy for corrective measures for Solid Waste Management Unit (SWMU) 76, Mixed Waste Landfill (MWL) at Sandia National Laboratories (SNL) in a Final Order dated May 26, 2005. The May 2005 Final Order established the requirement for a five-year report assessing the remedy performance for the MWL. SNL is owned by the U.S. Department of Energy (NNSA/DOE) and operated by National Technology & Engineering Solutions of Sandia, LLC (NTESS) (collectively, the Permittees). The Permittees are located at the following addresses: NTESS, 1515 Eubank SE, Albuquerque, NM 87123; and NNSA/DOE, Sandia Field Office, KAFB-East, Pennsylvania & H Street, Albuquerque, NM 87116. The Permittee's primary contact for this action is Mr. David Rast, NNSA/Sandia Field Office, DOE, P.O. Box 5400, Albuquerque, NM 87185.

The MWL is a 2.6-acre SWMU located in the north-central portion of Technical Area-III approximately five miles southeast of the Albuquerque International Sunport. The MWL was used as a disposal area for low level radioactive waste, hazardous waste, and mixed waste generated at SNL/NM research facilities and offsite locations from March 1959 to December 1988. In the May 2005 Final Order, the NMED selected a vegetative soil cover with a biointrusion barrier (i.e., evapotranspiration [ET] cover) as the remedy for the MWL that includes unsaturated zone and groundwater monitoring. On January 8, 2014 NMED approved the MWL Long-Term Monitoring and Maintenance Plan (LTMMP), which started the first five-year evaluation period.

NMED received the MWL Five-Year Report in January 2019. The May 2005 Final Order requires that NMED provide a process whereby members of the public may comment on the MWL Five-Year Report and its conclusions and respond to those comments in its final approval of the MWL Five-Year Report.

PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD

The Administrative Record for this proposed action consists of the SNL MWL Five-Year Report, this Public Notice, the May 2005 Final Order, the LTMMP, the MWL Annual Long-Term and Maintenance Monitoring Reports, 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: Pamela Allen

A copy of the Public Notice and the MWL Five-Year Report are available electronically on the NMED website at: www.env.nm.gov/hazardous-waste/snl-mwl-2/.

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

Dave Cobrain, Program Manager
Hazardous Waste Bureau - NMED
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
E-mail: dave.cobrain@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 May 24, 2019 to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MDT, July 23, 2019**. Any person who wishes to comment on the Report 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. MDT, July 23, 2019** will be considered.

Dave Cobrain, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303
Ref: Sandia National Laboratories – MWL Five-Year Report, January 2019
E-mail: dave.cobrain@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.

NMED must ensure that the approved MWL Five-Year Report will be consistent with the requirements of the LTMMP, the May 2005 Final Order, and the New Mexico Hazardous Waste Management Regulations. All written comments submitted on the MWL Five-Year Report will become part of the Administrative Record, will be considered in formulating a final decision, and may cause the MWL Five-Year Report to be disapproved. NMED will respond in writing to all significant public comment. 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 approve or disapprove the MWL Five-Year Report. If NMED disapproves the MWL Five-Year Report, the Permittees shall be provided by mail a copy of the disapproval and will be required to submit a revised MWL Five-Year Report for NMED approval. 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.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Stephanie Sloman no less than ten days prior to the end of the public comment period at the following address: New Mexico Environment Department, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, (505) 827-9769. TDD or TDY users please access Ms. Sloman's number via the New Mexico Relay Network at 1 (800) 659-8331.

NON-DISCRIMINATION STATEMENT

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. Parts 5 and 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 non-discrimination 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: Kristine Yurdin, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. 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.