FACT SHEET/STATEMENT OF BASIS
Notice of Intent to Approve
Corrective Action Complete Status with Controls
for the
Sandia National Laboratories Mixed Waste Landfill
January 12, 2015

Under the authority of the New Mexico Hazardous Waste Act, (HWA), NMSA 1978, § 74-4-1 et seq., and the New Mexico Hazardous Waste Management Regulations, 20.4.1 NMAC, the New Mexico Environment Department (NMED or Department) may approve, approve as modified, or deny hazardous waste permits, permit modifications, closure plans and amendments. Pursuant to this authority, the Department intends, pending public input, to approve corrective action complete (CAC) with controls status for the Mixed Waste Landfill (MWL), also known as Solid Waste Management Unit (SWMU) 76, located at Sandia National Laboratories (SNL or the Facility). The MWL is subject to corrective action under a Consent Order issued on April 29, 2004, and the Department Cabinet Secretary's Final Order of May 26, 2005. Its current status as SWMU 76, subject to corrective action, is tracked under the Resource Conservation and Recovery Act (RCRA) Hazardous Waste Facility Operating Permit (Permit, NM5890110518) issued to the U.S. Department of Energy (DOE) National Nuclear Security Administration and Sandia Corporation (a subsidiary of Lockheed Martin, Inc.). Approval of corrective action complete status for a SWMU (such as the MWL) must be accomplished by means of a Class 3 RCRA permit modification.

The DOE is the owner of the MWL and the Facility. Sandia Corporation is the operator of the Facility. Collectively, the DOE and Sandia Corporation are the Permittees (RCRA Permit No. NM5890110518). Sandia Corporation is located at 1515 Eubank Boulevard SE, Albuquerque, NM 87123. The Sandia Site Office of the DOE is located at KAFB-East at the intersection of Pennsylvania and H Streets, P.O. Box 5400, Albuquerque, NM 87185. The Permittee's primary contact for this action is Mr. John Weckerle, DOE/NNSA, P.O. Box 5400, MS 0184, Albuquerque, NM 87185.

The MWL is being proposed for CAC status in response to a Class 3 permit modification request from the Permittees submitted to the Department on October 17, 2014. The permit modification request must follow the administrative procedures at 20.4.1.900 NMAC, incorporating 40 CFR 270.42(c), 40 CFR Part 124, and 20.4.1.901 NMAC, including the procedures for public comment and opportunity to request a public hearing.

The Department is proposing that CAC status be granted for the MWL and that the Permittees be required to maintain the administrative and physical controls as specified in the MWL Long Term Monitoring and Maintenance Plan (LTMMP) approved January 8, 2014, and any revisions thereto. Examples of controls include posting signage, conducting inspections, restricting future land use, and reporting to the NMED. The LTMMP also specifies the schedules and methods SNL must follow for monitoring of potential contaminants in environmental media.

As described in more detail below, investigation of the MWL under RCRA began in 1989, and the RCRA corrective action process resulted in the selection on May 25, 2005 of the final remedy for the MWL, through a Final Order issued by the NMED Department Secretary. The final remedy selected was construction of an engineered cover and requirements for long-term monitoring. To complete corrective action, the Permittees must demonstrate that the landfill cover and monitoring systems have been adequately constructed and implemented as required under the Corrective Measures Implementation (CMI) Work Plan, approved on December 22, 2008, and the LTTMP.

The comment period for this proposed action begins on **January 12, 2015** and ends on **March 13, 2015**. Anyone wishing to have their comments or request for a public hearing considered by NMED must submit such comments or requests during the comment period by following the procedures specified in this Statement of Basis/Fact Sheet under the heading *Public Participation*.

A. FACILITY DESCRIPTION

SNL is located within the boundaries of Kirtland Air Force Base, south of and adjacent to Albuquerque in Bernalillo County, New Mexico. SNL is a multi-purpose engineering and science laboratory which designs components for the nation's nuclear weapons, designs and tests conventional military weapons, performs a wide variety of energy research and development projects, and works on assignments that respond to national security threats. As a result of its testing and research activities, SNL generates solid, hazardous, radioactive, and mixed wastes.

"Mixed Waste" is waste that contains both hazardous waste subject to regulation under the HWA and RCRA, and radioactive material subject to regulation under the Atomic Energy Act of 1954, as amended. NMED regulates the hazardous component of mixed waste under RCRA. However, NMED generally does not have the authority to regulate radioactive waste or the radioactive component of mixed waste, including the radioactive waste in the MWL.

From 1945 to 1988, solid, hazardous, mixed, and radioactive wastes were disposed of or released at numerous locations at SNL which are classified as SWMUs or Areas of Concern (AOCs). In addition to the MWL, other SWMUs and AOCs at SNL include, but are not limited to, drainfields, seepage pits, outfalls, waste piles, and explosives test areas. Determination of CAC status is made independently for each SWMU, and this proposed action addresses only the MWL. This proposed corrective action complete determination is pursuant solely to NMED's authority under the HWA and RCRA.

B. DESCRIPTION OF MIXED WASTE LANDFILL

The MWL was opened as the "TA-3 low-level radioactive waste dump" in March 1959. Low-level radioactive waste and mixed waste from SNL research facilities and off-site generators were disposed of in the landfill from March 1959 to December 1988. Approximately 100,000 cubic feet of radioactive waste containing 6,300 curies (Ci) of activity (at the time of disposal) were disposed of in unlined trenches and pits. The location of the Mixed Waste Landfill is shown on Figure 1.

There are two distinct disposal areas at the MWL: the classified area (0.6 acres) and the unclassified area (2.0 acres). Wastes in the classified area were disposed of in a series of vertical, cylindrical pits. Records indicate that early pits were 3 to 5 feet in diameter and 15 feet deep; later pits were 10 feet in diameter and 25 feet deep. Once pits were filled with waste, they were backfilled with soil and some were capped with concrete. The classified area contains wastes that likely present greater security, worker safety, and environmental concerns than those in the unclassified area. Wastes in the classified area include military hardware, radioactive constituents (e.g., cobalt-60, cesium-137, tritium, radium-226), activation products (e.g., cobalt-60), multiple fission products (e.g., cesium-137, strontium-90), high specific-activity wastes (e.g., tritium, cobalt-60), plutonium, thorium, and depleted uranium.

Wastes in the unclassified area were disposed of in a set of parallel, north-south trenches. Records indicate that trenches were 15 to 25 feet wide, 150 to 180 feet long, and 15 to 20 feet deep. Trenches were backfilled with soil and, once filled with waste, were capped with soil that had been excavated and locally stockpiled.

All pits and trenches contain operational and miscellaneous decontamination waste such as gloves, paper, mop heads, brushes, rags, tape, wire, metal and polyvinyl chloride piping, cables, towels, swipes, disposable lab coats, shoe covers, coveralls, high-efficiency particulate air filters, prefilters, tygon tubing, polyethylene bottles, beakers, balances, pH meters, screws, bolts, saw blades, tissue paper, petri dishes, scouring pads, metal scrap and shavings, foam, plastic, glass, rubber scrap, electrical connectors, ground cloth, wooden shipping crates and pallets, wooden and lucite dosimetry holders, and expended or obsolete experimental equipment. Containment and disposal of routine waste commonly occurred using tied, double polyethylene bags, sealed A/N cans (military ordnance metal containers of various sizes), fiberboard drums, wooden crates, cardboard boxes, and 55-gallon steel and polyethylene drums. Larger items, such as glove boxes, spent fuel shipping casks, and contaminated soils, were disposed of in bulk without containment. A more detailed MWL waste inventory, by pit and trench, is provided in the Permittees' Responses to NMED Technical Comments on the Report of the Mixed Waste Landfill Phase 2 RCRA Facility Investigation, June 15, 1998.

C. REGULATORY BACKGROUND FOR THIS PROPOSED ACTION

NMED first issued a permit for storage of hazardous waste at SNL on August 6, 1992. In 1993, the U.S. Environmental Protection Agency (EPA), acting pursuant to the 1984 Hazardous and Solid Waste Amendments (HSWA), issued an amendment to that permit known as "Module IV." Module IV, effective August 26, 1993, required investigation and corrective action pursuant to 40 CFR § 264.101 at approximately 200 SWMUs. On January 2, 1996, the Department received authorization from the EPA to implement corrective action under RCRA and became the administrative authority for Module IV.

On April 29, 2004, the Permittees and the Department entered into a Compliance Order on Consent (Consent Order), which governs all currently active corrective action at the Facility. The MWL is subject to the corrective action requirements of the Consent Order, and is also subject to the Cabinet Secretary's Order of May 26, 2005. The latter Order primarily addresses, but is not limited to, remedy planning and implementation.

On September 25, 2014, the Permittees requested a Certificate of Completion for corrective action complete with controls for the MWL under Section VII.D.6 of the Consent Order. The NMED issued a Certificate of Completion for the MWL that verifies that the Permittees have completed corrective action required by the Consent Order on October 8, 2014. The Certificate of Completion does not grant CAC status for the MWL. CAC status can only be granted after completion of a Class 3 permit modification that includes the opportunity for public participation as specified in 20.4.1.900 incorporating 40 CFR 270.42(c) and 20.4.1.901 NMAC.

On February 6, 2002, the Permittees applied to the NMED to renew their 1992 RCRA Permit. The Department issued for public comment a proposed draft Permit in August 2007. After extensions, the comment period for this draft ran until January, 2008. Based on discussions with the Permittees and other commenters, the Department issued a revised draft Permit on September 17, 2012, which was subject to public comment until February 14, 2013. Because not all objections to the Permit by members of the public and the Permittees could be resolved, a public hearing on the Permit was held on May 5 through May 8, 2014, in Albuquerque. The renewal Permit was issued on December 19, 2014.

The Permittees requested CAC status for the MWL via a Class 3 permit modification request on October 17, 2014. The Permittees conducted their public comment period from October 20, 2014 to January 5, 2015. The Permittees also held a public meeting on the CAC proposal at the Manzano Mesa Multigenerational Community Center in Albuquerque on November 18, 2014.

The MWL is listed as requiring corrective action on the RCRA Permit. If NMED approves CAC with controls status for the MWL, the listing for the MWL will be changed to corrective action is complete with controls, and Attachment M of the Permit will be modified to indicate that the controls to be implemented for the MWL are found in the LTMMP. If CAC status is not approved for the MWL, the MWL status will remain as requiring corrective action, and the additional corrective action needed will be required by the Department.

D. INVESTIGATION OF THE MWL

Investigation of potential contaminant releases at the MWL was conducted primarily in two major phases referred to as the Phase 1 and Phase 2 RCRA Facility Investigations (RFIs).

Phase 1 RCRA Facility Investigation

The Phase 1 RFI was conducted in 1989 and 1990. The objective was to determine the nature and extent of contamination, the source of contamination, the release and transport mechanisms, and the pathways of contaminant migration. Air, surface soil, and subsurface soil samples were collected and analyzed. Results of the Phase 1 RFI indicated that tritium, a radioactive substance, is the primary contaminant of concern and that it had migrated from the MWL into surrounding soils. Because the Phase 1 RFI did not fully characterize the landfill for potential releases, a second investigation phase was conducted.

Phase 2 RCRA Facility Investigation
The Phase 2 RFI was conducted from 1992 to 1996 and included an examination of historical records; radiological surveys; soil sampling for background metals and radionuclides; nonintrusive geophysical surveys; active and passive soil-gas surveys; surface soil sampling for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, and tritium; borehole sampling of subsurface soil for VOCs, SVOCs, metals, and radionuclides; and vadose zone tests to evaluate hydraulic properties. Of the potential contaminants investigated, only low levels of tritium, VOCs, and cadmium were found to have migrated from the landfill. VOCs and tritium are highly mobile in the environment and are discussed further below. Because little moisture can now percolate through the landfill, cadmium is not expected to pose a significant threat groundwater or other environmental media.

Tritium occurs in surface and near-surface soil in and around the classified area of the landfill at activities ranging up to 1,100 picocuries/gram (pCi/g) in surface soil. The highest tritium activities in subsurface soil, ranging up to 206 pCi/g, are found within 30 feet of the surface in soil adjacent to and directly below the classified area disposal pits. Below 30 feet, tritium activity in soil drops to a few pCi/g. Tritium also occurs as a diffuse air emission from the landfill. The observed tritium contamination in soil and air does not pose an unacceptable risk to the environment or human health.

Tetrachloroethene (PCE) is the most significant of the VOCs that have migrated from the landfill and occurs at concentrations of generally less than 2 parts per million by volume (ppmv) in the subsurface within 30 feet below the landfill. Recent data provided to the NMED from samples obtained from deep soil-vapor monitoring points (of newly installed wells under the LTMMP) typically contain concentrations of PCE in vapor at about 0.1 to 0.3 ppmv, occurring at depths from 100 to 400 feet. Such low concentrations of PCE in soil vapor indicate that it is unlikely that PCE will be detected in groundwater at levels that would exceed the EPA Maximum Contaminant Level (MCL) of 5 µg/L.

Results of a risk assessment prepared by the Permittees suggest that releases of contaminants from the MWL do not pose unacceptable risk to human health or the environment under an industrial land use scenario. Tritium activities at the MWL will decrease steadily with time due to its relatively short half-life of 12.3 years and due to dilution as dissipation of the tritium vapor takes place. The low levels of PCE and other VOC vapors in the subsurface are also expected to dissipate and reduce in concentration as time passes.

Groundwater
The depth to groundwater at the MWL is approximately 480 feet below ground surface. The groundwater monitoring well network currently consists of seven wells. Four other older wells installed at the MWL were plugged and abandoned. The four newest wells at the landfill (MWL-BW2, MWL-MW7, MWL-MW8, and MWL-MW9) were installed in 2008. Groundwater sampling has been conducted at the MWL since September 1990, generally on an annual basis. Historically, groundwater samples were analyzed for a wide variety of constituents, including

radionuclides, metals, VOCs, semi-volatile organic compounds, major ions, and perchlorate. Under the LTMMP, groundwater is now sampled semiannually at the four newest wells and analyzed for VOCs, uranium, cadmium, chromium, nickel, tritium, radon, gross alpha/beta, and selected gamma-emitting radionuclides.

There is no evidence that chemical or radiological contaminants have been detected in groundwater at the MWL at levels in excess of a water quality standard.

More detailed descriptions of the investigations completed at the MWL are provided primarily in the Phase 1 and Phase 2 RCRA Facility Investigation Reports. Groundwater sampling data for the MWL are presented chiefly in annual groundwater reports for the SNL Facility.

E. REMEDY SELECTION

On October 11, 2001, NMED directed the Permittees to conduct a Corrective Measures Study (CMS) for the MWL. A CMS Work Plan was approved with conditions by the NMED on October 10, 2002. After approval of the work plan, the CMS was conducted to identify, develop, and evaluate corrective measures alternatives and to recommend a final remedy for the MWL. The results of the CMS were documented in a CMS Report submitted to the NMED on May 21, 2003. The CMS Report was deemed complete by the NMED on January 5, 2004.

On January 23, 2004, the Permittees proposed a Class 3 permit modification, requesting that the NMED select a final remedy for the MWL. As part of a 60-day public notice and comment period initiated by the Permittees, a public meeting was held on February 26, 2004 in Albuquerque, New Mexico. Following completion of the Permittees public comment period, the NMED issued a public notice and began its public comment period starting August 11, 2004. The NMED public comment period was held from August 11, 2004 to December 2, 2004, and was extended until December 9, 2004. A public hearing on the selection of a final remedy for the MWL was held by the NMED on December 2-3 and 8-9, 2004. Based on the Administrative Record and the Hearing Officer's Report, on May 26, 2005, the NMED Secretary ordered the final remedy for the MWL, selecting a soil cover with bio-intrusion barrier as the final remedy.

F. REMEDY IMPLEMENTATION

The May 26, 2005 Final Order also required the Permittees to submit to NMED a Corrective Measures Implementation (CMI) Work Plan within 180 days after approval of the final remedy. The CMI Work Plan was submitted on November 3, 2005. The CMI Work Plan included a cover design and specifications and also included the development of a fate and transport model for various major contaminants that occur at the MWL, and trigger levels for various constituents – i.e., specific monitoring levels that would trigger additional corrective action if exceeded. A public meeting was held on May 25, 2006, to discuss the CMI Work Plan. A public comment period was held from December 9, 2005 to February 7, 2006, and from May 25, 2006 to June 8, 2006. NMED responded to public comment on November 21, 2006. On December 22, 2008, the Department approved the CMI Plan with conditions.

Construction of the engineered cover system was completed at the MWL in 2009. The cover consists of a rock bio-intrusion layer 1.25 feet thick, overlain by 3.85 feet of compacted fine-grain native soil, which in turn, is overlain by 1.02 feet of topsoil. A schematic profile of the cover, as designed and as actually constructed, is shown in Figure 2. The Permittees completed implementation of the CMI Work Plan, including construction of the cover, as documented in the CMI Report submitted to the NMED on January 26, 2010. The CMI Report provides information on the actual construction of the cover, including construction quality control data. On November 29, 2010, the NMED issued a notice announcing a 60-day public comment period for the CMI Report. The NMED held a public meeting on the CMI Report on December 14, 2010 at the Cesar Chavez Community Center in Albuquerque. The comment period was later extended 30 days from January 28, 2011, to February 28, 2011. NMED responded to public comment on May 20, 2011. NMED approved the CMI Report on October 14, 2011. The reader is referred to the CMI Report for more details concerning the as-built construction of the cover.

The Permittees were also required under the May 2005 Order to submit to the NMED for approval the LTMMP. The Permittees submitted the first version of the LTMMP on September 25, 2007. This version was noticed for public comment on October 31, 2007, with a time extension granted on December 17, 2007 until January 31, 2008. Although public comments were received on this first version of the plan, the NMED did not make a final decision on this version of the LTMMP chiefly because several of the groundwater monitoring wells at the MWL were scheduled to be replaced. The Permittees withdrew the 2007 draft of the LTMMP on December 7, 2011.

The Permittees replaced several wells at the MWL, and subsequently, submitted a revised LTMMP on March 23, 2012. The revised LTMMP describes the types and frequencies of monitoring and maintenance that will be conducted at the MWL to ensure protection of human health and the environment. The LTMMP also includes physical and institutional controls to be implemented at the MWL, and the trigger levels that were initially developed under the CMI Work Plan (some trigger levels were updated in the LTMMP to account for technical issues and changes to screening levels).

On September 14, 2012, the NMED issued a notice announcing a 60-day public comment period for the 2012 version of the LTMMP. The comment period was later extended 30 days from November 13, 2012, to December 13, 2012, and extended again for another 60 days until February 11, 2013. A public meeting on the LTMMP was held at the Cesar Chavez Community Center, in Albuquerque, on October 16, 2012. The LTMMP was approved on January 8, 2014.

The LTMMP describes in detail the physical and institutional controls to be implemented and the types and frequencies of monitoring and maintenance that will be conducted at the MWL to ensure protection of human health and the environment. Environmental media and parameters monitored at the MWL include: 1) radon concentrations in air; 2) tritium, gamma-emitting radionuclides, and metal concentrations in surface soil; 3) soil moisture; 4) VOCs in vadose zone soil vapor; 5) VOCs, uranium, chromium, cadmium, nickel, and radionuclides (including tritium and radon) levels in groundwater; and 6) gamma-emitting radionuclides in biota. All monitoring systems required under the LTMMP have now been deployed. Groundwater monitoring well locations at the MWL are shown in Figure 3.

The LTMMP also contains provisions for inspection, maintenance and reporting to the NMED. Routine surveillance will be conducted to evaluate the physical conditions of the cover (coverage of vegetation, erosion, settlement, water ponding, intrusion by animals), surface-water diversion structures, groundwater monitoring wells, soil-vapor monitoring wells, fencing, signs, gates and locks, and survey monuments. Maintenance will be performed to prevent deterioration or failure of the cover, physical controls, and monitoring systems. If necessary, repairs will be implemented to restore conditions of damaged components and systems to original specifications. Monitoring of environmental media is currently proceeding pursuant to the provisions of the LTMMP.

The May 26, 2005 Final Order also requires SNL to conduct reviews every five years to re-evaluate the feasibility of excavation of the MWL, and to assess the effectiveness of the final remedy. In 2011, NMED determined that the first five-year review period would commence with the approval of the LTMMP, because implementation of the LTMMP will provide the data necessary to perform the five-year reassessment.

Finally, in order to determine whether conditions at the MWL had changed since the mid-1990s, NMED directed that soil gas (including methane), soil, and other types of samples be collected at the MWL and analyzed for VOCs and certain radionuclides. Public comment was received on the plan (*Sampling and Analysis Plan for Soil Gas Volatile Organic Compounds, Tritium and Radon at the Mixed Waste Landfill*, hereafter referred to as the SV SAP) for this work from February 5, 2007, through March 7, 2007, and from April 15, 2007, through May 15, 2007. Additionally, a public meeting was held to discuss the SV SAP at the Los Griegos Health and Social Services Center in Albuquerque on May 1, 2007. The SV SAP was approved by the NMED with modifications on February 14, 2008, and the fieldwork for the investigation completed at the site in April and May 2008. NMED responded to public comment on the SV SAP on February 15, 2008. The investigation report, dated August 2008, showed that no adverse changes had occurred.

G. CAC CRITERIA

The Department has developed CAC criteria that are used to determine the appropriateness of proposing CAC for any particular SWMU or AOC. A SWMU or AOC that meets residential cleanup standards and acceptable ecological risk for soils and where groundwater has either not been affected or where the Permittee has achieved the applicable cleanup standards qualifies for corrective action complete without controls status. A SWMU or AOC where further corrective action has been determined to be complete based on reasonable anticipated future land use and implementation of controls such as limiting site use to industrial land use, implementation of engineering controls to eliminate exposure potential, or restricted access and long term monitoring of environmental media may qualify for corrective action complete with controls status. CAC status may be proposed based upon one or more of the following sources of information: field surveys, historical records, aerial photographs, employee interviews, and sampling results.

NMED has determined that the MWL has been characterized and remediated in accordance with current applicable state and federal regulations, and data indicate contaminant concentrations pose acceptable levels of risk to human health and the environment under current and projected future land use (industrial land use).

H. ADMINISTRATIVE RECORD

The Administrative Record for this proposed action consists of the Permit modification request, the draft Permit modifications, this Fact Sheet/Statement of Basis, the Public Notice, the Corrective Measures Implementation Plan, the SV SAP and Report, the Corrective Measures Implementation Work Plan and Report, the Consent Order, the Cabinet Secretary's Final Order of May 26, 2005, the Certificate of Completion, and other documents related to the MWL. 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: Ms. Pam Allen

A copy of this Fact Sheet/Statement of Basis, the Public Notice, and most of the above specified documents in the Administrative Record are also available electronically on the NMED website at: www.nmenv.state.nm.us/HWB/snlperm.html under the link for "Class 3 Permit Modification for Corrective Action Complete for the Mixed Waste Landfill" or may be reviewed at the following location during the public comment period with prior appointment:

NMED-District 1 Albuquerque Office
5500 San Antonio NE
Albuquerque, New Mexico 87109
(505) 222-9551
Monday - Friday from 8:00 a.m. to 5:00 p.m.
Contact: Mr. William Moats

Any person seeking additional information may also contact:

Mr. Dave Cobrain
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Bldg 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, 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 in accordance with Department policy.

I. PUBLIC PARTICIPATION

NMED issues this public notice on **January 12, 2015** to announce the beginning of a 60-day comment period that will end at 5:00 p.m. MST, **March 13, 2015**. Any person who wishes to comment on this action or request a public hearing should submit written or electronic mail (e-mail) comments with the commenter's name and address to the address below. Only comments and requests received on or before 5:00 p.m. MST, **March 13, 2015** will be considered.

Dave Cobrain
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505-6303
Ref: SNL – CAC Status 2012
E-mail: dave.cobrain@state.nm.us
Ref: SNL MWL CAC Petition

Written comments should include, to the extent practicable, all referenced factual materials. Documents in the Administrative Record need not be re-submitted if expressly referenced by the commenter. Requests for a public hearing shall provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all organizations whom the requestor represents; (3) a statement of any objections to the Permit modification request for CAC status with controls for the MWL, including specific references to any conditions being addressed; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. Written comment and requests for public hearing must be filed with Mr. Dave Cobrain on or before 5:00 p.m. MST, **March 13, 2015**. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Juan-Carlos Borrego before **March 13, 2015** at the NMED Human Resources Bureau, Room S-4303, 1190 St. Francis Drive, P.O. Box 5469, Santa Fe, New Mexico 87502. Mr. Borrego's telephone number is 505-827-0424. TDY users please access Mr. Borrego's number through the New Mexico Relay Network at 1-800-659-8331.

J. NEXT STEPS

All written comments submitted will be considered in formulating a final decision. The Department will respond in writing to all public comments received by March 13, 2015. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail. The responses will also be posted on the Department's website.

After consideration of all written public comments received and all data, views, and arguments presented in writing or at the public hearing, if one is held, NMED will approve, approve as modified or deny CAC with controls status for the MWL. The Department Secretary will make the final decision publicly available and will notify the Permittees by certified mail. The Secretary's decision will constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act. See NMSA 1978, § 74-1-14. The final decision will become effective thirty (30) days after service of the decision to the Permittees, unless a later date is specified.

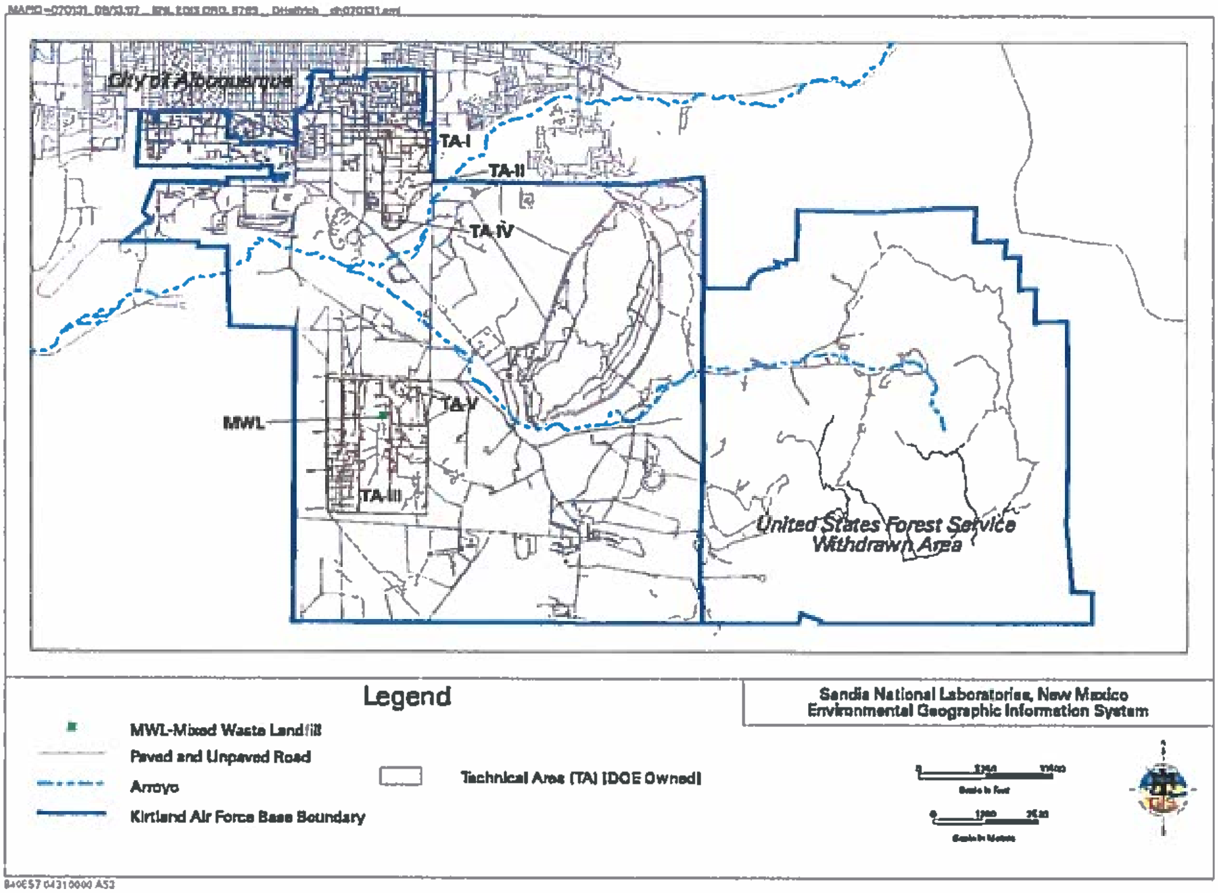

Figure 1. Location of Mixed Waste Landfill (MWL, near center of Technical Area III (TA-III) of Sandia National Laboratories.

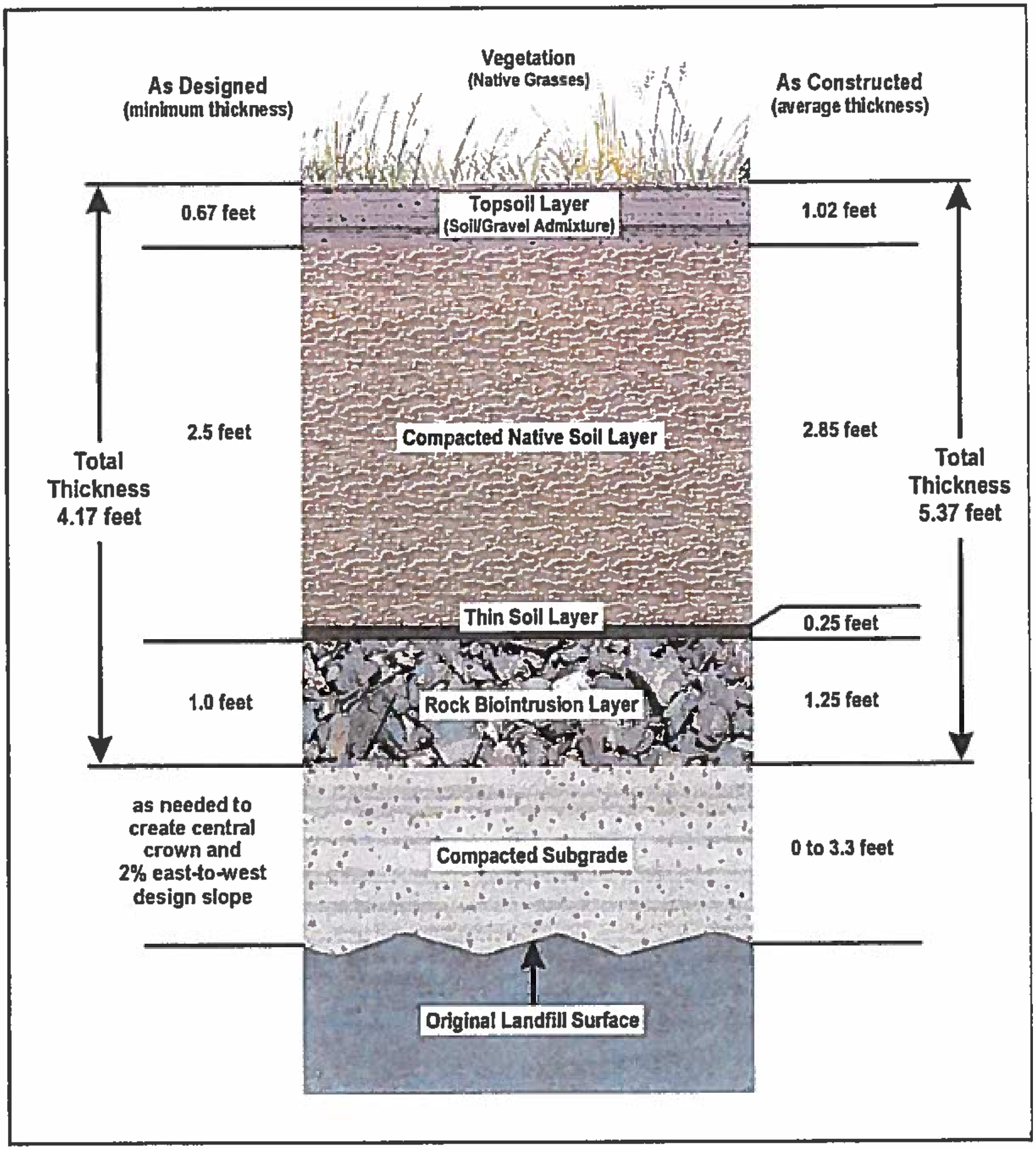

Figure 2. Schematic profile of Mixed Waste Landfill cover system, as designed and as constructed.

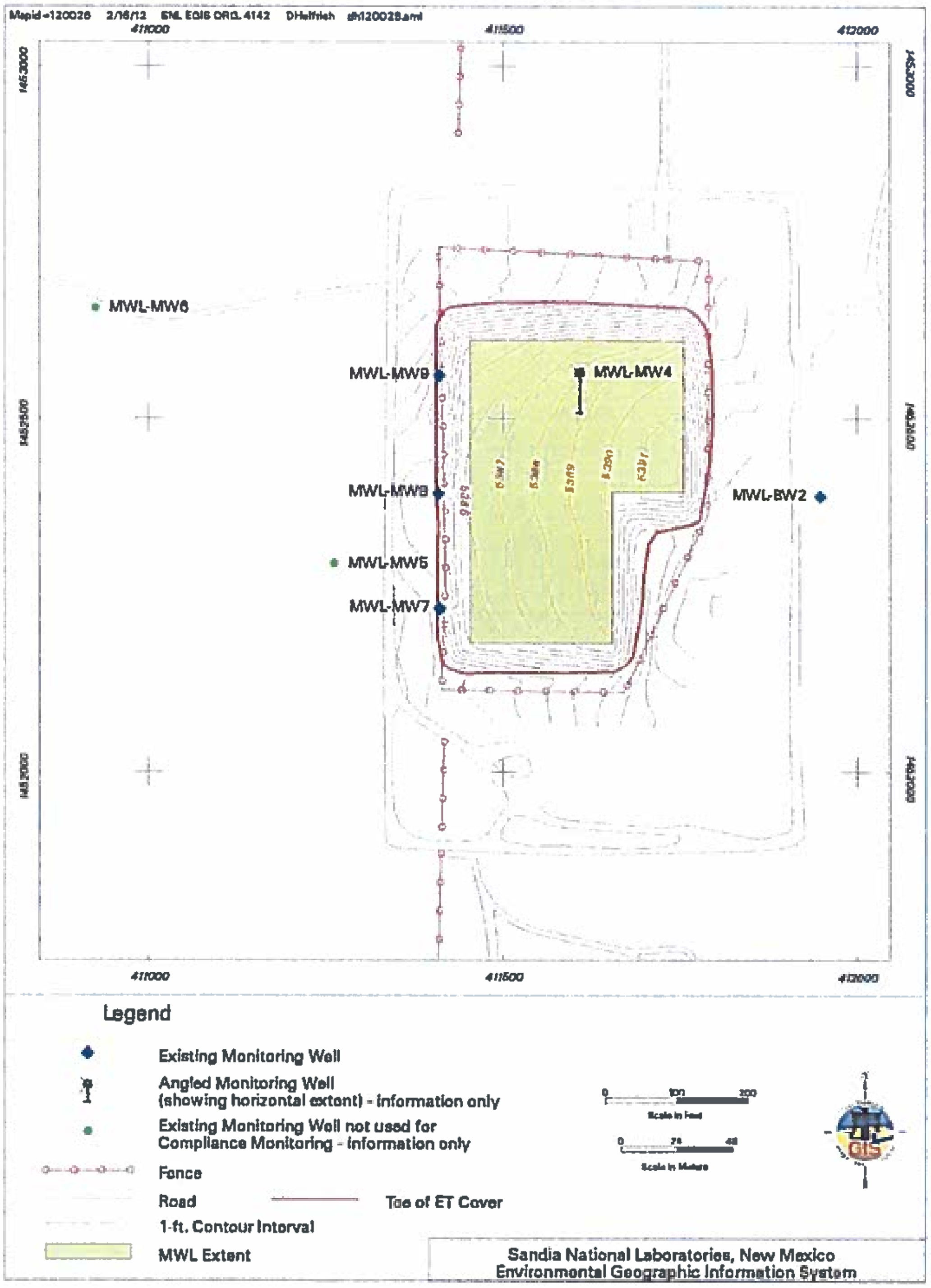

Figure 3. Groundwater monitoring wells at Mixed Waste Landfill (does not show wells that have been plugged and abandoned). Wells MWL-MW4, MWL-MW5, and MWL-MW6 will not be utilized for routine groundwater sampling.