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PUBLIC NOTICE # 03-09
NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO 87505
JULY 29, 2003

**NOTICE OF INTENT TO APPROVE A REVISED FINAL CORRECTIVE MEASURES
IMPLEMENTATION WORK PLAN
WHITE SANDS MISSILE RANGE, NEW MEXICO
EPA ID NO. NM2750211235**

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for the Resource Conservation and Recovery Act (RCRA) in effect prior to the enactment of the Hazardous and Solid Waste Amendments of 1984 (HSWA). The HSWA impose additional requirements on hazardous waste management facilities. The State of New Mexico received additional authorization for the requirements of HSWA effective January 2, 1996.

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 NMSA 1978 et seq. (Repl.Pamp. 1993) as amended, 1989, and the New Mexico Hazardous Waste Management Regulations (20.40.1 NMAC, Effective November 30, 1995), the New Mexico Environment Department (NMED) can approve, deny, or require additional corrective action at RCRA-regulated facilities. The NMED received a Revised Final Corrective Measures Implementation (CMI) Work Plan submitted by White Sands Missile Range, EPA I.D. Number NM2750211235, for conducting corrective action and ground water monitoring and sampling at the Rhodes Canyon Landfill located on White Sands Missile Range, New Mexico.

PUBLIC REVIEW OF CMI WORK PLAN

The Revised Final Corrective Measures Implementation Work Plan may be reviewed at either of the following locations: New Mexico Environment Department, Hazardous Waste Bureau, 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505 - Monday through Friday from 8:00 AM to 5:00 PM or the Alamogordo Public Library 920 Oregon Avenue, Alamogordo, New Mexico 88310 - Monday through Thursday from 10:00 AM to 8:00 PM, Friday from 10:00 AM to 5:00 PM, Saturday from 11:00 AM to 5:00 PM and Sunday from 1:00 PM to 5:00 PM.

A copy of the CMI Work Plan is also available on the NMED website at www.nmenv.state.nm.us/HWB/wsmrperm.html under CMI Work Plan. To obtain a copy of the

CMI Work Plan in or any part thereof in addition to further information, please contact Ms. Cheryl Frischkorn at (505) 428-2550, or the address given below. 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 CMI Work Plan or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. The comment period begins on **July 29, 2003** and ends on **September 15, 2003**. Only comments and/or requests received on or before **5:00 p.m. September 15, 2003** 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: WSMR Rhodes Canyon CMI Work Plan
e-mail: hazardous_waste_comment@nmenv.state.nm.us

Written comments must be based on available information for review and 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 persons whom the requestor represents; (3) a statement of any objections to the CMI Work Plan; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

NMED must ensure that the approved CMI Work Plan is consistent with the WSMR Hazardous Waste Permit and the New Mexico Hazardous Waste Management Regulations. All written comments submitted on the CMI Work Plan will be considered in formulating a final decision and may cause the CMI Work Plan to be modified. NMED will respond in writing to all public comments. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail. This response will also be posted on the NMED website.

After consideration of all the written public comments received, NMED will approve, or modify and approve the CMI Work Plan. If NMED modifies the CMI Work Plan, the Permittee will be notified by mail with a statement of reason for the modification.

The NMED will make the final decision publicly available and shall notify the Applicant by certified mail. The final decision shall constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Cliff Hawley, NMED, Room N-4030, P.O. Box 26110, 1190 St. Francis Drive,

Santa Fe, NM 87502-6110; Telephone number (505) 827-2580. TDD or TDY users please access Mr. Hawley's number via the New Mexico Relay Network. Albuquerque users may access Mr. Hawley's number at (505) 275-7333 or 800-659-1779.