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State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
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RON CURRY
SECRETARY

CINDY PADILLA
DEPUTY SECRETARY

August 20, 2007

**SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO
REQUEST A PUBLIC HEARING ON A DRAFT A DRAFT HAZARDOUS
WASTE PERMIT FOR SANDIA NATIONAL LABORATORIES**

Dear Interested Person:

Enclosed is a **Public Notice** regarding the draft Hazardous Waste Permit for Sandia National Laboratories (SNL). SNL is owned by U.S. Department of Energy (DOE) and is currently co-operated by the DOE and the Sandia Corporation, a subsidiary of Lockheed Martin (collectively, the Applicants). The Applicants requested a permit to perform hazardous and mixed waste treatment and storage activities at SNL. SNL is located within the boundaries of Kirtland Air Force Base south of and adjacent to the city of Albuquerque in Bernalillo County, New Mexico. Sandia Corporation is located at the following address: 1515 Eubank Boulevard SE, Albuquerque, NM 87123. The Sandia Site Office of the U. S. Department of Energy (DOE) is located at KAFB-East at the intersection of Pennsylvania and H Streets, P.O. Box 5400, Albuquerque, NM 87185. The applicant's primary contact for this action is: David Rast, DOE/NNSA, P.O. Box 5400, Albuquerque, NM 87185.

The enclosed Public Notice provides locations where the Administrative Record, including the Permit Application, draft Permit, Fact Sheet, and supporting documentation, for this action can be reviewed, and provides procedures for submitting comments and requesting a public hearing. Comments and requests for public hearing must be received no later than **5:00 p.m. MST on October 19, 2007**.

Any person seeking additional information regarding this notice may contact:

Mr. John E. Kieling, Program Manager
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505

Email: john.kieling@state.nm.us
Telephone: (505) 476-6000
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Sincerely,

John E. Kieling
Program Manager
Permits Management Program
Hazardous Waste Bureau



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PUBLIC NOTICE No. 07-10

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO 87505
August 20, 2007

**NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A
PUBLIC HEARING ON A DRAFT HAZARDOUS WASTE PERMIT FOR SANDIA
NATIONAL LABORATORIES
EPA ID NUMBER: NM5890110518**

The New Mexico Environment Department (NMED) proposes to issue a final Hazardous Waste Permit to the United States Department of Energy and Sandia Corporation (the Applicants) for hazardous waste management for treatment and storage at Sandia National Laboratories (SNL, or the Facility).

The Facility generates wastes that are regulated under the federal Resource Conservation and Recovery Act (RCRA), the New Mexico Hazardous Waste Act (HWA), and their implementing regulations. The draft Permit, when finalized would allow the Applicant to: 1) accept, manage, store and treat on-site generated hazardous waste before it is transferred to a permitted treatment or disposal facility (these units include: the Hazardous Waste Management Unit used for storage of hazardous waste; the Thermal Treatment Unit used for treatment of reactive hazardous wastes generated by research operations; the Radioactive and Mixed Waste Management Unit used for storage, treatment, and packaging of mixed wastes; five Manzano Storage Bunkers used for storage of mixed wastes; the Auxiliary Hot Cell Unit used for treatment, packaging, and storage of mixed wastes; and the Corrective Action Management Unit (CAMU), used for the containment of remediation wastes generated during environmental cleanup activities at the nearby closed Chemical Waste Landfill); 2) conduct corrective action activities not covered by the April 29, 2004 Compliance Order on Consent (Consent Order), in response to new releases from permitted units and for solid waste management units (SWMUs) and areas of concern (AOCs) where controls, including monitoring are implemented or releases discovered after the termination of the Consent Order; and 3) conduct tasks in accordance with schedules of compliance, pursuant to the Hazardous Waste Act (Chapter 74, Article 4 NMSA 1978) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC).

Sandia National Laboratories is located within the boundaries of Kirtland Air Force Base south of and adjacent to Albuquerque in Bernalillo County, New Mexico. It is a multi-purpose engineering and science laboratory owned and operated by the U. S. Department of Energy (DOE) and co-operated by Sandia Corporation, a subsidiary of Lockheed Martin. The Facility

designs non-nuclear 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.

Sandia National Laboratories is located at the following address: 1515 Eubank SE, Albuquerque, New Mexico 87123. The Sandia Site Office of the U. S. Department of Energy (DOE)/ National Nuclear Security Administration (NNSA) is located at KAFB-East, Pennsylvania and H Street, P.O. Box 5400, Albuquerque, NM 87185. Sandia Corporation is located at 1515 Eubank SE, Albuquerque, New Mexico 87123. The Facility's primary contact for this action is: Mr. David Rast, DOE/NNSA, P.O. Box 5400, Albuquerque, NM 87185.

NMED announces the availability of the proposed draft Permit for public comment. In addition, NMED will consider any requests for a public hearing and determine whether a public hearing will be held to consider further public comment. NMED also announces the availability of a Fact Sheet providing the basis for NMED's proposed action on the draft Permit, and the significant factual, legal, and policy questions considered in preparing the draft Permit. The Fact Sheet also explains in detail the corrective action activities that the Applicant must implement and a summary of the basis for permit conditions, including applicable statutory and regulatory support.

PUBLIC REVIEW OF THE DRAFT PERMIT

The Administrative Record for this proposed action consists of the Permit application, the draft Permit, this Public Notice, the Fact Sheet, and supporting documentation. The Administrative Record may be reviewed, with prior appointment, at the following location during the public comment period.

NMED - Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone: (505) 476-6000
Monday – Friday: 8:00 a.m. to 5:00 p.m.
Contact: *Pam Allen*

In addition, the draft Permit and the Fact Sheet may be reviewed, with prior appointment, at the following location during the public comment period.

NMED - Hazardous Waste Bureau
District 1
5500 San Antonio Avenue, NE
Albuquerque, New Mexico 87109
Phone: (505) 222-9543
Mondays - Fridays from 8:00 a.m. to 5:00 p.m.
Contact: *Cornelius Amindyas*

A copy of the draft Permit, this Public Notice, and the Fact Sheet, are also available on the NMED website at: www.nmenv.state.nm.us/HWB/snlperm.html under SNL Draft Permit. To obtain a copy of the Administrative Record or a portion thereof, please contact Ms. Pam Allen at

(505) 476-6000, or at address given above. NMED will provide copies, or portions thereof, of the Administrative Record at a cost to the requestor.

NMED issues this public notice on **August 20, 2007**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MST, October 19, 2007**. 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 respective address below. Only comments and/or requests received before **5:00 p.m. MST on October 19, 2007** will be considered.

John E. Kieling, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
(505) 476-6000
E-mail: john.kieling@state.nm.us
Ref: SNL Draft Permit

Written comments must be based on reasonably available information 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 draft Permit, 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. John Kieling on or before **5:00 p.m. MST, October 19, 2007**. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

NMED must ensure that the approved draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted will be considered in formulating a final decision and may cause the draft Permit to be modified. The Department will respond in writing to all public comments. This response will specify which provisions, if any, of the draft Permit have been changed in the final decision and the reasons for the changes; and briefly describe and respond to all public comments raised during the public comment period. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail. These responses will also be posted on the Department's website.

After consideration of all the written public comments received, NMED will issue, or modify and issue, the Permit. The Applicants shall be provided by mail a copy of any relevant modified documents and a detailed written statement of reasons for the modifications.

The Secretary of the New Mexico Environment Department will make the final decision publicly available and shall notify the Applicants by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the HWA (Chapter 74, Article 4 NMSA 1978).

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, Human Resources Bureau, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone number: (505) 827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.