



BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1

Santa Fe, New Mexico 87505-6303

Phone (505) 476-6000 Fax (505) 476-6030

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RON CURRY
Secretary

CINDY PADILLA
Deputy Secretary

December 14, 2007

**SUBJECT: EXTENSION OF THE PUBLIC COMMENT PERIOD ON THE PROPOSED
REMEDY SELECTION FOR MATERIAL DISPOSAL AREA H AT LOS
ALAMOS NATIONAL LABORATORY**

Dear Interested Person:

Attached is a public notice extending the period for submission of public comments and requests for public hearing on the proposed remedy selection for Material Disposal Area H at Los Alamos National Laboratory (LANL). On November 5, 2007, the New Mexico Environment Department (NMED) issued an initial public notice to submit public comment and requests for public hearing by January 4, 2008. Since issuance of that initial notice, NMED has received several requests to extend the public comment period.

The public comment period shall be extended for an additional thirty (30) day period. NMED will now receive comments and requests for public hearing through **5:00 p.m. MST, February 4, 2008**.

The enclosed Public Notice provides the location where the administrative record, including the public notices, Fact Sheet/Statement of Basis, 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 will be received through **5:00 p.m. MST on February 4, 2008**.

Any person seeking additional information regarding this notice may contact:

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

Email: john.kieling@state.nm.us
Telephone: (505) 476-6000
Fax: (505) 476-6030

Sincerely,

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



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PUBLIC NOTICE No. 07-23

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO 87505
December 14, 2007**

**EXTENSION OF PUBLIC COMMENT PERIOD FOR PROPOSED REMEDY SELECTION FOR MATERIAL
DISPOSAL AREA H, SOLID WASTE MANAGEMENT UNIT (SWMU) 54-004
LOS ALAMOS NATIONAL LABORATORY
LOS ALAMOS, NEW MEXICO
EPA ID NO. NM0890010515**

This is a notice extending the period for submission of public comments and requests for public hearing on the proposed remedy selection Material Disposal Area H (SWMU 54-004) at Los Alamos National Laboratory (LANL). On November 5, 2007, the New Mexico Environment Department (NMED) issued an initial public notice to submit public comment and requests for public hearing by January 4, 2008. Since issuance of that initial notice, NMED has received several requests to extend the public comment period.

The public comment period shall be extended for an additional thirty (30) day period. NMED will now receive comments and requests for public hearing through **5:00 p.m. MST, February 4, 2008.**

PUBLIC REVIEW OF THE DRAFT PERMIT

The Administrative Record for this proposed action consists of the public notices, Fact Sheet/Statement of Basis, and other relevant correspondence and documents. 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*

The public notices, Fact Sheet/Statement of Basis, Work Plan, and Consent Order are also available on the NMED website at <http://www.nmenv.state.nm.us/hwb/lanlperm.html> under MDA H Remedy Selection. To obtain a copy of the Administrative Record or a portion thereof, please contact Pam Allen at (505) 476-6000, or at the NMED 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 **December 14, 2007**, to announce the extension the comment period that will end at **5:00 p.m. MST, February 4, 2008**. Any person who wishes to comment on this action 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 February 4, 2008** 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
E-mail: john.kieling@state.nm.us
Ref: LANL Remedy Selection for MDA H

Written comments must be based on information available 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. Members of the Public may request a public hearing on the proposed action. 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 proposed remedy selection; 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, February 4, 2008**. NMED will provide a thirty (30) day notice of a public hearing, if granted.

NMED must ensure that the approved selected remedy is consistent with the Hazardous Waste Act, the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), and the LANL Consent Order. All written comments submitted on this matter will become part of the administrative record, be considered in formulating a final decision, and may cause the proposed selected remedy to be modified. NMED will respond in writing to all public comments. NMED's response will specify which sections, if any, of the proposed selected remedy have been changed in the final decision, the reasons for the change, and briefly describe and respond to all public comments received during the public comment period. NMED's response to comments will also be posted on the NMED website in addition to being sent to all persons who submitted written comments.

After consideration of all the written public comments received, NMED will approve, disapprove, or approve the proposed selected remedy with modifications. In all cases, the Permittees will be provided by certified mail a copy of the final selected remedy and a detailed written statement of reasons for the modifications. NMED will make the final decision available to the public.

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 505-827-9872. TDD or TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.