



BILL RICHARDSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Telephone (505) 428-2500
Fax (505) 428-2567
www.nmenv.state.nm.us

LANL FFCO 04



RON CURRY
SECRETARY

JERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 23, 2004

Mr. Albert Dye
Site Treatment Plan Project Manager
Waste Disposition Program
Los Alamos National Laboratory
P. O. Box 1663, Mail Stop K490
Los Alamos, New Mexico 87545-1663

Mr. James G. Nunz
Waste Management Program Manager
Los Alamos Site Operations
Department of Energy
528 35th Street
Los Alamos, New Mexico 87544

SUBJECT: PROPOSED REVISION 14.0, ANNUAL UPDATE TO SITE TREATMENT PLAN, FEDERAL FACILITIES COMPLIANCE ORDER LOS ALAMOS NATIONAL LABORATORY EPA ID# NM0890010515 HWB-LANL-03-023

Dear Messrs. Dye and Nunz:

In response to Revision 14.0 request to the Federal Facility Compliance Order (FCO), Compliance Plan Volume (CPV) Site Treatment Plan (STP), (October 4, 1995, as revised and amended) by the Department of Energy and University of California at Los Alamos National Laboratory, the New Mexico Environment Department Hazardous Waste Bureau has reviewed the information and is implementing the public notice process and the 30-day public comment period. A copy of the announcement is attached.

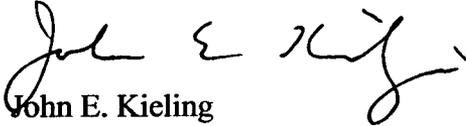


2232

Messrs. Dye and Nunz
November 23, 2004
Page 2

Please contact Lee Winn of my staff at (505) 428-2541 or lee_winn@nmenv.state.nm.us if you have any questions concerning this or other FFCO matters.

Sincerely,



John E. Kieling
Manager
Permits Management Program

JEK:rw

Enclosure: FFCO Public Availability Notice

cc: J. Bearzi, Bureau Chief, HWB
J. Kieling, Program Manager, HWB
L. Winn, HWB

File: Reading and LANL FFCO 2004



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PUBLIC NOTICE NO. 04-18

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
Santa Fe, New Mexico 87505
November 23, 2004**

**NOTICE OF AVAILABILITY
REVISION 14.0 OF THE LOS ALAMOS NATIONAL LABORATORY
FEDERAL FACILITY COMPLIANCE ORDER**

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for most provisions of the Resource Conservation and Recovery Act (RCRA). The Federal Facilities Compliance Act is coded in RCRA §6001. Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 NMSA 1978 (CUM. SUPP.) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), the New Mexico Environment Department (NMED) may issue Federal Facility Compliance Orders to federal facilities located within New Mexico's borders.

On October 4, 1995, the NMED issued a Federal Facility Compliance Order (FFCO) to the United States Department of Energy (DOE) and the University of California (UC) (collectively the Respondents), requiring compliance by Respondents with a Site Treatment Plan (STP) for the treatment of mixed waste at the Los Alamos National Laboratory (LANL). The FFCO requires a Site Treatment Plan (STP) Compliance Plan Volume (CPV) for the treatment and disposal of mixed waste at LANL. The Respondents must comply with the New Mexico Hazardous Waste Act, NMSA 1978, §§74-4-1 (1998 CUM. SUPP.) and section 3012(b) of RCRA, 42 U.S.C. §6939(c), as amended by the Federal Facility Compliance Act of 1992, Public Law 102-386, 106 Stat. 1505 (1992). Under Section X "Revisions" of the FFCO, all proposed or required revisions shall be made available for public review and comment.

The Respondents have requested Revision 14.0 to the FFCO. This revision includes changes in covered waste inventories that have been reported in the STP Fiscal Year Update reports received by the NMED since the FFCO was issued on October 4, 1995. Revision 14.0 includes the addition/deletion of mixed waste volumes, modification of certain compliance dates associated with specific treatability groups, expedited

shipments. NMED may approve, approve with modifications, or disapprove the proposed revision. However, pending public input, NMED intends to approve the requested revision because its impact is negligible in terms of the total amount of mixed wastes managed at LANL during upcoming years.

The administrative record for this notice of intent to approve the revisions includes operational data and proof of shipment offsite for treatment or disposal. The proposed Revision 14.0 and the administrative record may be reviewed at NMED, Hazardous Waste Bureau, 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico, 87505-6303, between the hours of 8:00 a.m. and 5:00 p.m. for a period of thirty (30) days beginning **November 23, 2004** and ending on **December 23, 2004**, and at the Los Alamos National Laboratory, Community Relations Office, 1619 Central Avenue, Los Alamos, New Mexico, 87544, between the hours of 8:00 a.m. and 5:00 p.m. The contact person at the Community Relations Office is Linda Anderman. A copy of Revision 14.0 is also available on the NMED website at <http://www.nmenv.state.nm.us/HWB/lanlperm.html> under Federal Facility Compliance Order.

To obtain a copy of the administrative record or a portion thereof, in addition to further information, please contact Lee Winn at (505) 428-2541, or the address given below. The 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 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 address below. Only comments and/or requests received on or before **5:00 p.m. December 23, 2004** 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: LANL FFCO Revision 14.0
e-mail: hazardous_waste_comment@nmenv.state.nm.us

All written comments submitted on the draft Permit will be considered in formulating a final decision and may cause the revision to be modified. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail.