

AFFIDAVIT OF PUBLICATION

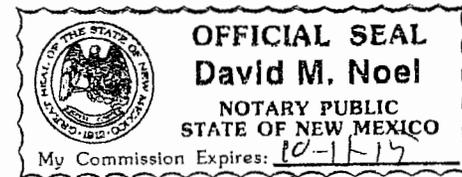
STATE OF NEW MEXICO

County of Bernalillo SS

Linda MacEachen, being duly sworn, declares and says that she is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 1 day of February, 2012, and the subsequent consecutive publications on _____, 20____.

Linda MacEachen

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 1 day of February of 2012



[Handwritten signature]

PRICE \$ 144.93

Statement to come at end of month.

ACCOUNT NUMBER C 81227



35369

CLA-22-A (R-1/93)

LRDL FFCO

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PUBLIC NOTICE NO. 12-01
NEW MEXICO ENVIRONMENT
DEPARTMENT
HAZARDOUS WASTE BUREAU
Santa Fe, New Mexico 87505
February 7, 2012

**NOTICE OF AVAILABILITY
PROPOSED REVISION 21.0 OF
THE LOS ALAMOS NATIONAL
LABORATORY FEDERAL FACIL-
ITY COMPLIANCE ORDER SITE
TREATMENT PLAN
COMPLIANCE PLAN VOLUME**

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 (FFCA) 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 a Federal Facility Compliance Order (FFCO) to federal facilities located within New Mexico's borders.

On October 4, 1995, NMED issued an FFCO to the United States Department of Energy (DOE) and the Regents of the University of California (UC) to co-operator (collectively, the Respondents). Los Alamos National Security, LLC (LANS) replaced UC as co-operator in 2006. The FFCO requires compliance with the STP Compliance Plan Volume (CPV) for the treatment and disposal of mixed waste at Los Alamos National Laboratory (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 FFCA 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.

Revisions to the FFCO include, but are not limited to, changes in the covered mixed waste inventories and compliance dates reported in the STP Fiscal Year Update reports received by NMED since the FFCO was issued on October 4, 1995. Revision 21.0 includes: 1) the addition and deletion of mixed waste volumes; and 2) the establishment of a new compliance date associated with a specific treatability group. NMED may approve, approve with modifications, or disapprove the proposed revision. Pending public input, NMED intends to approve with modifications the requested revision.

NMED has made the following modifications to a new compliance date requested by LANL in Revision 21.0:

- NMED changed the Compliance Date in Part III, Table 3.1.8, Activity A, from "12/31/15," as requested, to "6/30/14" in Part II, Section 5.0.
- NMED corrected the Letter Reference Numbers for two letters dated 11/2/2010 in Table I-2 of Appendix I.

The Administrative Record (AR) for this notice of intent to approve includes the proposed Revision 21.0, other FFCO-required documents and operational data, and verification of off-site waste shipments for treatment or disposal. The proposed Revision 20.0 and the AR 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 February 7, 2012. The proposed revision 21.0, this public notice, and the interested person letter can also be reviewed at the NMED website at: <http://www.nmenv.state.nm.us/HWB/lanperm.html> under the link "Federal Facility Compliance Order." To obtain a copy of the AR, or any part thereof, please contact Ms. Pam Allen by calling (505) 476-6000.

Any person who wishes to comment on the proposed Revision 21.0 should submit written or electronic mail (e-mail) comments, along with his or her name and address, to the NMED, Hazardous Waste Bureau address or by e-mail to: john.kieling@state.nm.us. Only comments received by 5:00 p.m. MDT, March 8, 2012 will be considered. All timely comments submitted will be considered in forming a final decision. NMED may modify the Revision based on the comments received. NMED will notify each person who submitted written comment during the public comment period of the final decision.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Persons with a disability and requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley at NMED, Personnel Services Bureau, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502 or by telephone at (505) 827-9872. TDY users may access her number via the New Mexico Relay Network at 1-800-659-8331.

Journal: February 7, 2012