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GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
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SECRETARY

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DEPUTY SECRETARY

September 15, 1997

Legal Notices Department
Albuquerque Journal Publishing Company
ATTENTION: Samantha
P.O. Box J-T
Albuquerque, New Mexico 87103

RE: Public Notice

Dear Madam:

Please publish the enclosed Public Notice in your Monday, September 29, 1997 issue of the Albuquerque Journal. Please return a copy of the notice as published with a certificate of date published.

The bill should be sent to:

RCRA Permits Management Program
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
P.O. Box 26110
2044-A Galisteo
Santa Fe, NM 87502

Thank you for your assistance. If you have any questions, please contact Mr. John Kieling at (505) 827-1558.

Sincerely,

Robert S. (Stu) Dinwiddie, Ph. D., Manager
RCRA Permits Management Program
Hazardous and Radioactive Materials Bureau

RSD:jek

Enclosure

cc: J. Kieling, NMED HRMB
File: HSWA LANL G/P '97
Track: LANL 9/15/97, ABQJ, HRMB/jek, RE, File

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LEGAL NOTICE NO. 001

**NEW MEXICO
ENVIRONMENTAL
DEPARTMENT
HAZARDOUS AND
RADIOACTIVE
MATERIALS BUREAU**

Santa Fe, New Mexico 87502
September 15, 1997

**NOTICE OF INTENT TO
APPROVE A
MODIFICATION TO RCRA
PERMIT NO. NM0890010515
US DEPARTMENT OF
ENERGY/LOS ALAMOS
NATIONAL LABORATORY
NEW MEXICO**

The State of New Mexico was authorized in 1986 to operate a hazardous waste management program in lieu of the Federal program for those portions of the Resource Conservation and Recovery Act

LEGALS

(RCRA) in effect prior to the enactment of the Hazardous and Solid Waste Amendments of 1984 (HSWA). On January 2, 1996, the State was authorized to operate a hazardous waste management program for parts of HSWA. HSWA imposes additional Corrective Action requirements on hazardous waste management facilities for releases to the environment.

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 et seq., NMSA 1978, as amended, 1992) and the New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1), the New Mexico Environment Department (NMED) can approve or deny hazardous waste permits and closure plans, permit modifications and amendments.

Under this authority, NMED intends to approve, pending public input into this decision, a modification to the RCRA permit issued to the US Department of Energy/Los Alamos National Laboratory (DOE/LANL), New Mexico, Permit No. NM08900515. LANL is a contractor-operated research facility under the administration of DOE.

The proposed modification will remove three (3) Solid Waste Management Units (SWMUs) from Tables A and C of the HSWA permit module. Tables A and C lists sites at LANL where Corrective Action to characterize and/or remediate past releases of hazardous wastes or hazardous waste constituents may be necessary. The basis for removal of these sites from the permit is approval of No Further Action (NFA) status. The three sites and justification for removal of these sites from LANL's permit are:

1. Field Unit 1, SWMU 3-024, Tank and/or Associated Equipment - NFA approved because there is no evidence that the site was used for the management of RCRA hazardous waste and/or hazardous waste constituents.

2. Field Unit 1, SWMU 3-045(d), Storage Tank (Above Ground) - NFA approved because the site was found to be a duplicate SWMU of SWMU 3-014(q).

3. Field Unit 4, SWMU 52-002(e), Septic Tank and Seepage Pit (Active) - NFA approved because the site was found to be a duplicate SWMU of SWMU 63-001(a).

The administrative record for this proposed action consists of this legal notice, a fact sheet, a statement of basis, the proposed revised Tables A and C, and a summary of public involvement activities. The administrative record may be reviewed from September 29 through November 12, 1997 at the following locations:

New Mexico Environment
Department
Hazardous and Radioactive
Materials Bureau
P.O. Box 26110
2044-A Galisteo Street
Santa Fe, New Mexico 87502
(505) 827-1561

Los Alamos National
Laboratory Community
Reading Room
1350 Central Avenue,
Suite 101
Los Alamos, New Mexico
87544

To obtain a copy of the administrative record or any part thereof, please contact John Kieling at the New Mexico Environment Department at the above address. Any person who wishes to comment on this permit modification or to request a public hearing should submit written comments/requests, along with the commenter's/requestor's name and address, to John Kieling at the above address. Requests for hearing should include a statement of the nature of the issues proposed to be raised. Only comments/requests received by November 12, 1997 will be considered. NMED will provide a 30-day notice of the public hearing, if scheduled.

All written comments and issues raised at a Public Hearing, if held, will become part of the administrative record and will be considered in formulating the final decision. NMED may approve, or modify and approve, the requested permit modification based on the comments received. NMED will notify DOE/LANL and each person who submitted a written comment during the public comment period or testimony at a Public Hearing of the final decision, including any approved change to the proposed modification, and a detailed statement of reasons for any such change.
Legal #62411
Pub. September 24, 1997