



GARY E. JOHNSON  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*  
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ENTERED



PETER MAGGIORE  
SECRETARY

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

September 26, 2001

Richard M. Weinstein  
Counsellor at Law  
215 Bloomfield Street #1E  
Hoboken, New Jersey 07030

**RE: RESPONSE TO COMMENTS ON NMED's NOTICE OF INTENT TO APPROVE  
A MODIFICATION TO RCRA PERMIT NO. NM0890010515 US DEPARTMENT  
OF ENERGY/LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO**

Dear Mr. Weinstein:

The New Mexico Environment Department (NMED) has received your comments regarding NMED's Intent to approve a Class III Modification to Los Alamos National Laboratory's (LANL's) Resource and Conservation and Recovery Act (RCRA) Permit (the Permit). The approval would result in the removal of seven solid waste management units (SWMUs) from the Hazardous and Solid Waste Amendments (HSWA) Module of the Permit.

NMED issued the public notice (Public Notice No. 01-06) on July 25, 2001 and provided a 45-day public comment period that ended on September 10, 2001. Your comments were the only comments received by NMED during the public comment period. NMED reviewed the comments and is providing a response, as an attachment to this letter. After review of the documents provided by LANL in support of a no further action (NFA) and careful consideration of the comments received, NMED has determined that the seven SWMUs are appropriate for NFA at this time. However, if at a later date, new information becomes available that indicates a release or likelihood of a release from a SWMU that might pose a threat to human health or the environment, NMED can require LANL to do further investigations, studies, or remediation of the site.



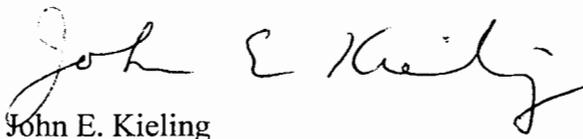
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NMED would like to thank you for your time and the interest shown in the protection of the health and environment of New Mexico residents. If you have any questions please contact Neelam Dhawan at (505) 428-2540.

Sincerely,



John E. Kieling  
Manager  
Permits Management Program

JEK:nmd

Cc: J. Bearzi, NMED HWB  
J. Young, NMED HWB  
C. Will, NMED HWB  
N. Dhawan, NMED HWB  
~~P. Allen~~, NMED HWB  
J. Vozella, DOE LAAO, MS A316  
J. Canepa, LANL EM/ER, MS M992

File: Reading and HSWA LANL <sup>G1P101</sup> ~~XXXX~~