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LEGAL NOTICE

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS AND RADIOACTIVE MATERIALS BUREAU
Santa Fe, New Mexico 87503**

May 15, 1992

**NOTICE OF INTENT TO CLOSE A HAZARDOUS WASTE SURFACE IMPOUNDMENT
AND TERMINATE INTERIM STATUS**

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for those portions of the Resource Conservation and Recovery Act (RCRA) in effect prior to the enactment of the Hazardous and Solid Waste Amendments of 1984 (HSWA). The HSWA impose additional requirements on hazardous waste management facilities which will be administered by the U.S. Environmental Protection Agency (EPA) until the State of New Mexico receives additional authorization for those requirements.

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 et. seq. NMSA 1978, as amended, 1989) and the New Mexico Hazardous Waste Management Regulations, the New Mexico Environment department (NMED) can approve or deny closure plans. NMED has received a closure plan submitted by Los Alamos National Laboratory (LANL), EPA I.D. Number NM0890010515, for the LANL TA-35 TSL-125 Surface Impoundment. The unit is presently under RCRA interim status.

LANL is a contractor operated research facility under the administration of the Department of Energy (DOE) located near Los Alamos, New Mexico. Laser technology research was conducted in building 125 at TA-35. A floor trough located inside Building 125 drained to a surface impoundment, near the southwest facing rim of Ten Site canyon, that was built to contain accidental spills of generator insulating oil. The surface impoundment is subject to regulation as a hazardous waste management unit because of the introduction of degreasers into the surface impoundment during cleaning and maintenance of equipment parts and the building's floors. The surface impoundment was roughly 31 feet in length by 29 feet in width, covering an area of approximately 900 square feet.

LANL completed field activities for closure of this impoundment in



March of 1991. Soils and subsoils were investigated to determine the extent of contamination. Contaminated soils were removed and disposed of as hazardous waste. Additional sampling may be required to ensure that no hazardous constituents impact soils, subsoils, or ground-water above NMED-approved Health-Based Limit Criteria. If analytical results indicate that residual contamination is above NMED-approved Health-Based Limit Criteria, then the unit will be subject to post closure care regulatory requirements applicable to landfills.

The administrative record for this decision consists of the closure plan, a fact sheet, and related correspondence. The administrative record may be reviewed at NMED, Hazardous and Radioactive Materials Bureau, 525 Camino de los Marquez, Santa Fe, New Mexico 87503. The closure plan and fact sheet may be viewed at the Sunny Days Plaza Community Relations Room, 2101 Trinity Drive, Los Alamos, New Mexico. To obtain a copy of the administrative record or any part thereof, at 35 cents per page, please contact Ms. Stephanie Stoddard at the above address or call (505) 827-4300.

Any person who wishes to comment upon the proposed plan or to request a public hearing should submit written comments and requests, along with the commentor's name and address, to the Santa Fe address. Requests for a public hearing shall state the nature of the issues proposed to be raised in the hearing. Only comments and/or requests received by June 15, 1992 will be considered. NMED will provide a thirty day notice of the public hearing, if scheduled.

All written comments submitted on the proposed plan will be considered in formulating a final decision. NMED may modify the closure plan based on the comments received. NMED will notify LANL and each person who submitted a written comment during the public comment period of the final decision.

After consideration of all written comments received, NMED will approve or modify and approve the closure plan submitted by LANL. If the NMED modifies and approves the plan, then NMED shall provide LANL with a detailed written statement of reasons for the modification and the modified plan will become the approved closure plan. NMED must ensure that the approved closure plan is consistent with the New Mexico Hazardous Waste Management Regulations for closure. A copy of the modified plan with a detailed statement of the reasons for the modifications will be mailed to LANL. If closure activities meet the closure standards for closure by removal, NMED will grant clean closure of the unit and terminate interim status. If closure by removal standards are not met, then the unit will be subject to post closure care regulatory requirements.