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LEGAL NOTICE NUMBER 53

NEW MEXICO ENVIRONMENT DEPARTMENT  
HAZARDOUS AND RADIOACTIVE MATERIALS BUREAU  
Santa Fe, New Mexico 87502

October 20, 1993

NOTICE OF INTENT TO PERMIT A RESEARCH, DEVELOPMENT, AND  
DEMONSTRATION UNIT

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 administrated 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 (HWMR-7), the New Mexico Environment Department (NMED) can approve or deny permit applications. NMED has received a Research, Development, and Demonstration permit application submitted by the **Department of Energy (DOE)/Los Alamos National Laboratory (LANL), EPA I.D. Number NM0890010515**, for the DOE/LANL Hydrothermal Processing Unit. The purpose of the proposed project is to demonstrate the technical feasibility and performance capability of the hydrothermal processing unit. The treatment includes destruction of reactive (explosive) hazardous organic constituents in heated, pressurized water. The RD&D permit will allow DOE/LANL the opportunity to demonstrate the suitability of the hydrothermal process for treatment of wastes containing propellants, explosives, and pyrotechnics (PEP).

DOE/LANL is a contractor operated research facility under the administration of the Department of Energy (DOE) located near Los Alamos, New Mexico.

The administrative record for this permit application consists of the permit application, a fact sheet, and related correspondence. The administrative record may be reviewed at NMED, Hazardous and



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Radioactive Materials Bureau, 525 Camino de los Marquez, Santa Fe, New Mexico 87502 between the hours of 8:00 AM and 5:00 PM. The draft permit and fact sheet may be viewed at the Environmental Restoration Community Reading Room, 1450 Central Avenue, Suite 101, Los Alamos, New Mexico. Contact the Reading Room for business hours. To obtain a copy of the administrative record or any part thereof, at 35 cents per page, please contact Mr. Carl Stubbs at the above Santa Fe address or call (505) 827-4308.

Any person who wishes to comment upon the draft permit 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 and the name and address of the commenter. Only comments and/or requests received by **December 15, 1993** will be considered. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

NMED must ensure that the approved draft permit is consistent with the New Mexico Hazardous Waste Management Regulations for permits. All written comments submitted on the draft permit will be considered in formulating a final decision. NMED may modify the draft permit based on the comments received. NMED will notify DOE/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 draft permit. If NMED modifies and approves the draft permit, then NMED shall provide DOE/LANL with a detailed written statement of reasons for the modification and the modified draft permit will become the approved permit. A copy of the modified permit with a detailed statement of the reasons for the modifications will be mailed to DOE/LANL.