

Red file
LANL 96



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
525 Camino De Los Marquez
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-4358
Fax (505) 827-4389

MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
-- DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TA 35

January 25, 1996

Mr. Joseph C. Vozella, Chief
Environment, Safety and Health Branch
Department of Energy
Los Alamos Area Office
Los Alamos, New Mexico, 87544

RE: Class 2 Modification for the Packed Bed Reactor/Silent Discharge Plasma Research, Development and Demonstration Operational Permit
EPA ID No. EPA ID No. NM0890010515

Dear Mr. Vozella:

This letter is written with reference to your letter of August 25, 1995 in which you requested a Class II Permit Modification to your existing Packed Bed Reactor/Silent Discharge Plasma (PBR/SDP) Research Development and Demonstration (RD&D) Operational Permit.

NMED tentatively approves the proposed modification subject to public review. Before NMED makes a final decision on the draft permit modification, the public is required to participate in our permitting process as specified in the New Mexico Hazardous Waste Management Regulations 20 NMAC 4.1, 40 CFR 124.10.

Pursuant to New Mexico Hazardous Waste Management Regulations 20 NMAC 4.1, Subpart IX, 40 CFR §270.42(b)(2), the U.S. Department of Energy, Los Alamos National Laboratory (DOE/LANL) is required to send a notice of modification request to all persons on the enclosed facility mailing list as specified in 40 CFR §124.10(c)(ix). In addition, DOE/LANL must publish this notice in a major local newspaper of general circulation. This notice must be mailed and published within seven days after receipt of this letter. Further, DOE/LANL must provide to the New Mexico Environment Department evidence of the mailing and publication.



Mr. Vozella, DOE/LANL
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Please send a copy of the notice as published in the newspaper,
with a certificate of the date published to:

Barbara Hoditschek, RCRA Program Manager
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo Street
P.O. Box 26110
Santa Fe, New Mexico, 87502

The public notice must include:

- (1) Announcement of a 60-day public comment period, including the start and end dates;
- (2) Location where copies of the permit, proposed modification request and supporting documents can be viewed and copied. This location should be at a site accessible to the public in the vicinity of the permitted facility;
- (3) Announcement of a date, time, and place for a public meeting on the modification request, in accordance with §270.42(b)(4). DOE/LANL must hold a public meeting no earlier than 15 days after the publication of the notice, and no later than 15 days before the close of the 60-day comment period. The meeting must be held to the extent practicable in the vicinity of the permitted facility;
- (4) The following statement: "DOE/LANL's compliance history during the life of the permit being modified is available from the NMED contact person."
- (5) Name and telephone number of DOE/LANL's contact person; and
- (6) The name, address, and telephone number of New Mexico Environment Department Hazardous and Radioactive Materials Bureau contact person:

Cornelius Amindyas
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo Street
P.O. Box 26110
Santa Fe, New Mexico, 87502
(505) 827-1563

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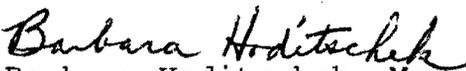
Any person who wishes to comment upon the draft permit modification or to request a public hearing should submit written comments and requests, along with the commentor's name and address, to the NMED contact person. Requests for a public hearing shall state the nature of the issues proposed to be raised in the hearing and the name and address of the commentor. Only comments and/or requests received by HRMB during the 60-day public comment period will be considered. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

After the conclusion of the 60-day comment period, NMED will respond to the public comments received. All written comments submitted on the draft permit modification will be considered in formulating a final decision. NMED may modify the proposed 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 modification. 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 pages of the permit with a detailed statement of the reasons for the modifications will be mailed to DOE/LANL.

Enclosed is a copy of the proposed modification for public review. If you have any questions regarding the modification, please call me or Cornelius Amindyas at (505) 827-1563.

Sincerely,


Barbara Hoditschek, Manager
RCRA Permits Program
Hazardous and Radioactive Materials Bureau

Enclosures (2)

cc: Benito Garcia, Chief HRMB (w/o encl.)
David Neleigh, EPA Region [6PD-N] (w/o encl.)
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