



BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

July 29, 1991

Lee Bachlett
Legal Department
Los Alamos Monitor
P.O. Box 1268
Los Alamos, New Mexico 87544

Dear Mr. Bachlett:

Please publish the enclosed legal notice in your Friday, August 2, 1991 newspaper. Please return a copy of the notice as published with a certificate of date published. Address the bill to:

Ms. Veronica Aragon
Radioactive and Hazardous Waste Bureau
New Mexico Environment Department
1190 St. Frances Drive
P.O. Box 26110
Santa Fe, New Mexico 87502

Thank you for your assistance. If you have any questions, please contact Mr. Marc Sides at (505) 827-2420.

Sincerely,

Ed Horst
Program Manager
Hazardous and Radioactive Waste Bureau

Enclosure



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LEGAL NOTICE

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

August 1, 1991

NOTICE OF INTENT TO CLOSE A HAZARDOUS WASTE TREATMENT 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 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 proposed to approve the closure plan submitted by Los Alamos National Laboratory (LANL), EPA I.D. Number NM0890010515, for the LANL TA-40 Scrap Detonation Site. 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. The scrap detonation site is located in Technical Area (TA) 40 on a south-facing mesa-rim shelf (New Mexico State Plane coordinates E481,920;N1,767,000). The shelf has cliffs both to the north below the mesa top, and to the south overlooking Pajarito Canyon. The TA-40 Scrap Detonation Site is a thermal treatment unit which treated ignitable and reactive hazardous waste from the early 1960's until April 1985. The site is roughly circular in shape, approximately 60 feet in diameter.

The proposed closure plan calls for clean closure of the TA-40 Scrap Detonation Site. Soils and subsoils will be investigated to determine if any contamination is present, and if so, the extent of contamination. All contaminated materials will be excavated, managed, and disposed of as hazardous waste unless sampling and analysis indicates that the contamination is below regulatory levels.

The administrative record for this decision consists of the closure plan, a fact sheet, and related correspondence. The

administrative record may be viewed at the NMED, Hazardous and Radioactive Waste Bureau, Harold Runnels Building, 1190 St. Frances Drive, Santa Fe, New Mexico 87502. 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 copy of the administrative record or any part thereof, at 35 cents per page, please contact Mr. Marc Sides at the above address or call (505) 827-2420.

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 September 2, 1991 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.

If, after consideration of all written comments, this proposed action becomes the final decision, NMED will issue LANL final approval for the proposed closure plan. The final approval will require that the closure activities be conducted in accordance with applicable State and Federal laws, as well as with the terms approved in the closure plan.