

LEGAL NOTICE

NEW MEXICO ENVIRONMENTAL IMPROVEMENT DIVISION
HAZARDOUS WASTE BUREAU
Santa Fe, New Mexico 87503

PUBLIC NOTICE NO. 29

June 11, 1989

NOTICE OF INTENT TO GRANT A PERMIT FOR THE OPERATION OF A
HAZARDOUS WASTE TREATMENT AND STORAGE FACILITY
SECOND NOTICE

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 and enforced by the U.S. Environmental Protection Agency until the State of New Mexico receives additional authorization for these requirements.

Under authority of RCRA, the Environmental Improvement Division (EID) of the New Mexico Health and Environment Department and the U.S. Environmental Protection Agency (EPA) Region VI, propose to issue a final permit to Los Alamos National Laboratory, Los Alamos, New Mexico 87545, for the storage, incineration, and chemical treatment of hazardous waste. The EID permit is to be issued under authority of the New Mexico Hazardous Waste Act (§ 74-4-1 *et. seq.*, NMSA 1978, as amended 1989) and the EPA permit under the authority of the Hazardous and Solid Waste Amendments of 1984. The facility has been assigned EPA identification number NM0890010515.

The proposed EID permit contains conditions for the nonradioactive hazardous waste storage in tanks and containers, chemical treatment to reduce the hazardous nature and incineration to destroy hazardous wastes. The EPA permit will address the investigation and, if necessary, the cleanup of past spills and disposal sites as well as other HSWA regulations. Radioactive mixed wastes subject to regulation under the Resource Conservation and Recovery Act will be addressed at a later date.

The draft proposed permits and the administrative records may be reviewed at either the E.I.D. Central Office library at the Harold Runnels Building, 1190 St. Francis Drive, Santa Fe, New Mexico; the Espanola public library, 314A Oñate N.W., Espanola, New Mexico; or the EPA library, 1445 Ross Avenue, Dallas, Texas. To obtain a copy of the administrative record or any part thereof, at 35 cents per page, please contact Mr. Crossman at the address below, or call (505) 827-2923.



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The addresses of the E.I.D. and EPA representatives for either reviewing or obtaining a copy of the administrative record or any part thereof, or for commenting or public participation, are:

Mr. C. Kelley Crossman
Supervisor
Hazardous Waste Bureau (EID)
1190 St. Francis Drive
Santa Fe, New Mexico 87503

Mr. Bill Honker, Chief,
RCRA Permits Branch
U.S. EPA Region VI
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Any person, including the applicant, who wishes to comment on the decision to issue a permit may do so by submitting comments, along with the commentator's name and address, to both addressees above. All written comments submitted on the decision to issue the permit must be received by the EID not later than July 18, 1989, to be considered in formulating a final decision.

A public hearing is scheduled for 9:00AM on July 18, 1989 in the auditorium of the Harold Runnels Building, 1190 St Francis Drive, Santa Fe, NM. These are a new date and location which supersede those given in EID legal notice 28 dated May 10, 1989. Any person, including the applicant, who wishes to present information for the record at the public hearing or to speak on the proposed action(s), may do so by submitting a written request to both addressees above. Any request to speak at the hearing shall state the nature of the issues proposed to be raised. All comments should include the requestor's name and address.

All written comments submitted on the proposed plan or permit will be considered in formulating a final decision. EID and/or EPA may modify the draft permit(s) based on the comments received. The EID will notify LANL, and each person who submitted a written comment during the public comment period, of the final decision or of any other public hearing which may be scheduled.

If, after consideration of all written comments, this proposed action becomes the final decision, the EID and the EPA will each issue the laboratory an operating permit. These permits will govern the handling and treatment of regulated hazardous wastes at the laboratory.

This notice satisfies the requirements of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901, *et. seq.* and 40 CFR 124.10. The final permit, if issued by the EPA, will implement the requirements of the HSWA, amending the Federal Solid Waste Disposal Act, as amended. The State of New Mexico and the EPA have entered into a joint permitting agreement whereby RCRA permits may be issued in the State, in accordance with the Hazardous Waste Management Regulations of the State of New Mexico and the HSWA, until the State receives interim or final authorization under RCRA to administer the requirements of HSWA. In order for the applicant to have a fully effective RCRA permit, both the New Mexico EID and the EPA must issue a permit. EPA may participate in any public hearing if one is held.