

The Santa Fe New Mexican

Since 1849. We Read You.

NEW MEXICO ENVIRONMENT DEPARTMENT
ATTN: MICHAEL CHACON
HAZARDOUS & RADIOACTIVE MATERIALS
P.O. BOX 26110
SANTA FE, NM 87502

AD NUMBER: 500562

ACCOUNT: 56662

LEGAL NO: 59634

P.O. #: 9606413145

249 LINES once at \$ 99.60

Affidavits: 5.25

Tax: 6.55

Total: \$111.40

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, BETSY PERNER being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily news paper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a Newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication # 59634 a copy of which is hereto attached was published in said newspaper once each week for one consecutive week(s) and that the notice was published in the newspaper proper and not in any supplement; the first publication being on the 14th day of MAY 1996 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/S/

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this
14th day of MAY A.D., 1996



8798

LEGAL NOTICE NO. 84

**NEW MEXICO
ENVIRONMENT
DEPARTMENT
HAZARDOUS AND
RADIOACTIVE
MATERIALS BUREAU
Santa Fe, NM 87502**

May 13, 1996

**NOTICE OF INTENT TO
APPROVE AMENDED
CLOSURE PLAN TO THE
RCRA PERMIT FOR LOS
ALAMOS NATIONAL
LABORATORY EPA NO.
NM0890010515**

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for the Resource Conservation and Recovery Act (RCRA) including the Hazardous and Solid Waste Amendments of 1984 (HSWA), for which New Mexico was authorized effective January 2, 1996. The HSWA imposes additional Corrective Action requirements on hazardous waste management facilities.

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 (20 NMAC 4.1), the New Mexico Environment Department can approve or disapprove permit modifications. The Hazardous and Radioactive Materials Bureau (HRMB) of the New Mexico Environment Department (NMED) proposes that the Department approved an amendment to the closure plan for the Controlled Air Incinerator (CAI) located at Technical Area 50, Building 37, initiated by Los Alamos National Laboratory (LANL), Los Alamos, New Mexico, EPA I.D. No. NM 0890010515.

NMED issued a Hazardous Waste Facility Permit on November 8, 1989, to the Department of Energy, (DOE) and the University of California for the Los Alamos National Laboratory. The permit allows LANL to operate certain hazardous waste management units, such as the CAI, which although it has not been operated since 1987 is subject to the requirements of the operating permit. LANL has proposed to close and dismantle the CAI,

and has submitted closure plan amendment to HRMB for approval, thus requiring public participation. Processing these amendments will allow LANL to proceed

with closure and dismantlement of the CAI.

The administrative record for this proposed decision consists of the proposed amendments and related correspondence. You may review the administrative record on weekdays between 8 am and 5 pm at the NMED Hazardous and Radioactive Materials Bureau library at 2044-A Galisteo, Santa Fe, NM. You may also review the proposed amendments and fact sheet during normal business hours at the LANL Community Reading Room, 1350 Central Avenue, Suite 101, Los Alamos, NM, and the main public libraries in Santa Fe, Los Alamos, Espanola, and Taos, as well as the San Ildefonso Pueblo Governor's Office. To obtain a copy of the administrative record or any part thereof, at 35 cents per page, contact Mr. Michael Chacon at (505) 827-1561. LANL's compliance history during the life of the permit being modified is also available from Mr. Chacon.

Any person wanting to comment upon the amended closure plan or to request a public hearing should submit written comments or requests, along with their name and address, to: Barbara Hoditschek, RCRA Permits Program Manager, at NMED Hazardous and Radioactive Materials Bureau, P.O. Box 26110, Santa Fe, NM, 87502. Requests for a public hearing should state the nature of the issues proposed to be raised in the hearing. Only comments and/or requests received by June 12, 1996, will be considered.

NMED will consider all written comments submitted on this proposed closure plan amendment before formulating a final decision. NMED will notify LANL, and each person who submitted a written comment during the public comment period, of the final decision or of any public hearing which may be scheduled. The final decision will require that activities at the CAI be conducted according to applicable State and Federal laws and with the terms approved in the amended closure plan.

Legal #59634
Pub. May 14, 1996