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NMED  
Hazardous Waste Bureau

*Waste Management Division*  
P.O. Box 1663, Mail Stop K491  
Los Alamos, New Mexico 87545  
505-667-4873/Fax 505-667-0731

Date: **JUL 12 2013**  
Refer to: WM-DO-13-0033

Mr. John E. Kieling, Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505

Dear Mr. Kieling:

**SUBJECT: NOTICE OF PUBLICATION AND PUBLIC MAILING OF LOS ALAMOS  
NATIONAL LABORATORY HAZARDOUS WASTE FACILITY PERMIT  
MODIFICATION REQUEST**

The purpose of this letter is to notify the New Mexico Environment Department – Hazardous Waste Bureau (NMED-HWB) of the Department of Energy (DOE) and Los Alamos National Security, LLC (LANS), collectively the Permittees, notification to persons on the NMED-HWB maintained facility mailing list and to provide proof of newspaper publication for a Class 2 permit modification request to the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (Permit) to increase the storage capacity and footprint of the hazardous waste management unit located at Technical Area (TA) 54, Building 38, West (TA-54-38 West). The Permittees are requesting a Class 2 permit modification as defined in 40 CFR § 270.42(b)(2). This correspondence and the enclosed information provide evidence of mailing and publication in accordance with 40 CFR § 270.42(b)(2).

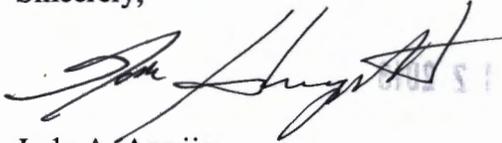
Enclosure 1 is the notification that was sent to the facility mailing list. The notification was mailed on July 3, 2013 as required by 40 CFR §270.42(b)(2). Enclosure 2 contains the newspaper publications that were published on June 25, 2013 in the following newspapers: Santa Fe New Mexican, Albuquerque Journal – North, and the Los Alamos Monitor.

Additionally, an electronic mail (e-mail) notification was sent to the list of individuals maintained by the Permittees in accordance with Permit Section 1.13 on June 28, 2013 to notify the interested public that the permit modification request was submitted to the NMED-HWB for review.



If you have comments or questions regarding this notification, please contact Mark Haagenstad (WM-PROG) at (505) 665-2014.

Sincerely,



for Jody A. Armijo  
Acting Group Leader  
Waste Management Programs  
Los Alamos National Security, LLC

JAA:CLJ/ms

Enclosures:

1. Notification sent to the Facility Mailing List
2. Newspaper Publications Published on June 25, 2013

Cy: Carl A. Beard, PADOPS, w/o enc., A102  
Michael T. Brandt, ADESH, w/o enc., (E-File)  
Robert L. Dodge, WM-DO, w/o enc., (E-File)  
Jody A. Armijo, WM-PROG, w/o enc., (E-File)  
Mark P. Haagenstad, WM-PROG, w/enc., (E-File)  
Luciana Vigil-Holterman, WM-PROG, w/enc., (E-File)  
Catherine L. Juarez, WM-PROG, w/enc., (E-File)  
Kathryn Roberts, REG-SP, w/ enc., (E-File)  
[locatesteam@lanl.gov](mailto:locatesteam@lanl.gov), w/enc., (E-File)  
WM-DO Correspondence File, w/enc., K491

# **ENCLOSURE 1**

Notification Sent to the Facility Mailing List

WM-DO-13-0033

Date:           **JUL 12 2013**

June 2013



**Public Notice of Class 2 Permit Modification Request and Public Meeting  
for Technical Area 54, Building 38 (TA-54-38) West**

**Los Alamos National Laboratory Hazardous Waste Facility Permit, EPA ID No. NM0890010515**

**Activity:** The U.S. Department of Energy (DOE) and the Los Alamos National Security, LLC (LANS), have requested to modify the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit via a Class 2 permit modification request. The modification supports increases in container storage capacity at the two permitted units located at TA-54-38, West; increases the footprint of the indoor unit at TA-54-38 West; and updates and clarifies text within the Permit.

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**Availability:** The proposed permit modification is available for public review weekdays between 8:00 am and 5:00 pm at  
**NMED - Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6313**

Copies are also available at the LANL Hardcopy Public Reading Room weekdays from 9:00 am to 4:00 pm at  
**Northern New Mexico Citizens' Advisory Board  
Office**

**94 Cities of Gold Road in Pojoaque, New Mexico**  
<http://www.lanl.gov/community-environment/environmental-stewardship/public-reading-room.php>



Electronic copies of the permit modification request can also be found in the  
**LANL Electronic Public Reading Room (EPRR) at <http://epr.lanl.gov>.**

The LANL Hazardous Waste Facility Permit can be found on the NMED LANL Permit web page at:  
<http://www.nmenv.state.nm.us/HWB/Permit.htm>

**Meeting:** A public meeting about the permit modification will be held from **5:30 pm to 7:30 pm** on  
**July 31, 2013 at Betty Ehart Senior Center, 1101 Bathtub Row, Los Alamos, NM.**

**Comments:** Any person who would like to comment on the proposed Class 2 permit modification may do so by contacting:

**Dave Cobrain  
NMED-Hazardous Waste Bureau,  
2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505-6313  
Telephone (505) 476-6000 or e-mail: [dave.cobrain@state.nm.us](mailto:dave.cobrain@state.nm.us).**

The Permittee's compliance history during the life of the permit being modified is available from the NMED contact person. The 60-day public comment period for this permit modification will run from June 25, 2013 through August 26, 2013. Any person who wishes to comment on this action should submit written or e-mail comments with the commenter's name and address to the address above. Only written comments received on or before August 26, 2013, will be considered.

**Facility Contact:** If you have questions, please contact Los Alamos National Laboratory.

**Lorrie Bonds Lopez  
Environmental Communication & Public Involvement  
P.O. Box 1663, MS M996  
Los Alamos, NM 87545**

Phone/email: 505-667-0216 / [envoutreach@lanl.gov](mailto:envoutreach@lanl.gov)



Waste Management Programs  
P.O. Box 1663, Mail Stop K404  
Los Alamos, NM 87545

| Company Detail                              |   |
|---|---|
| Company Name                                | LOS ALAMOS NATIONAL LABORATORY                    |
| Address                                     | PO BOX 1663 MSC A190<br>LOS ALAMOS, NM 87544-0600 |
| Contact Name                                | MARTIN PACHECO                                    |
| Phone Number                                | (505)667-4166                                     |
| Profit Indicator                            | P   |
| PS Form 3607R - Mailing Transaction Receipt |   |
| Account Holder Account Number               | 1715652   |
| Account Holder Permit Number                | 532   |
| Account Holder Permit Type                  | PI  |
| Account Holder CRID                         | 8897692   |
| Post Office of Permit                       | ALBUQUERQUE NM 87101-9651                         |
| Post Office of Mailing                      | ALBUQUERQUE NM 87101-9651                         |
| Post Office of Permit Cost Center           | 340147-0115                                       |
| Post Office of Mailing Cost Center          | 340147-0115                                       |
| Mailing Agent Name                          | SOUTHWEST MAIL CENTER                             |
| Mailing Agent CRID                          | 4171331   |
| Mail Owner Name                             |   |
| Mail Owner CRID                             |   |
| JOB ID                                      |   |
| Customer Reference ID                       |   |
| CAPS Transaction Number                     | N/A   |
| Class of Mail                               | Standard Mail                                     |
| Processing Category                         | Letters   |
| Postage Statement ID                        | 165157409   |
| Mailing Group ID                            | 122524637   |
| Mailer's Mailing Date                       | 07/03/2013  |
| Total Pieces                                | 1,154 pcs.  |
| Weight of a single-piece                    | 0.0313 lbs.                                       |
| Total Weight                                | 36.1202 lbs.                                      |
| Total Number of Containers                  | 6   |
| Total Postage (Without Incentive/Fee)       | \$ 263.39   |
| Total Incentive/Discount                    | \$ 0.00   |
| Fee   | \$ 0.00   |
| Total Adjusted Postage                      | \$ 263.39   |
| Payment Date and Time                       | 07/03/2013 14:44                                  |
| Payment Transaction Number                  | 201318416443773M1                                 |
| Mailer Figures Adjusted?                    | No  |
| Person authorizing adjustment               |   |
| Name  |   |
| Phone Number                                |   |
| Acceptance Site Mailer ID                   |   |
| Clerk Initials                              | TMC   |
| Mail Arrival Date and Time                  | 07/03/2013 14:43                                  |

B# 27982

7/3/13

## **ENCLOSURE 2**

Newspaper Publications Published on June 25, 2013

WM-DO-13-0033

**JUL 12 2013**

Date: \_\_\_\_\_

# Probation for Edgewood man in child molestation case

By BILL RODGERS  
Journal Staff Writer

A 35-year-old Edgewood man was sentenced to probation in a plea deal with prosecutors for what began as a child molestation case, but he remains jailed on an escape charge.

Assistant District Attorney Joshua Granata said Juan Cruz, who was arrested in 2007, was a repeat offender while the next steps are being figured out. In Albuquerque, a lawyer representing at least one proler — which he declined to identify — said it's his impression that "many of the providers do not wish to comment at this time."

"One of the key issues is ... what is this going to affect their individual organization," said David Johnson. "It's my impression they still need to gain additional clarity as to what the implications of this are — beyond, obviously, the element withholding."

Some providers may decide to pursue a "good cause exception" that HSD has outlined to them. Providers who contend access to care would be jeopardized by the payment freeze could ask HSD to exempt them from the pay hold; HSD would consult with the attorney general before making that decision.

According to HSD, the audit is prompted by concerns raised in 2012 after OptumHealth, the company that

although Granata said probation will likely require Cruz to attend sex offender treatment counseling.

According to the facts stipulated to in the plea, Cruz admits that between Aug. 1, 2007, and Jan. 26, 2008, in Santa Fe County he touched a girl under her underwear without touching any of her intimate parts.

GAO report found that fraud, waste and abuse in the Medicaid program is expected to range from 3 percent to 9 percent of all payments.

An HSD summary of the audit findings said that "at the very least, widespread mismanagement has occurred that negatively affected the efficient and effective delivery of services, while some of the audits found potential cases of fraud, waste and abuse."

In a few cases, there was potential fraudulent activity by behavioral health executives, the agency said.

Other findings include: A CEO and family members were paid as much as \$1.5 million as annual compensation for services and related transactions; one provider purchased services and rented space from a firm partially owned by the provider's CEO and COO; and there was an "extremely excessive" deferred compensation package for one CEO in the event of termination. That package would have provided

online court records database.

Cruz was released from custody in 2010, when Marshals allege he fled the state, according to news archives. The agency tracked Cruz to a family member's house in El Paso.

Granata said the plea deal, based on an evaluation of evidence in the case, stemmed

"It just seems to me that over a five- or six-year span something should have been flagged," he said.

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June 2013

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NATIONAL LABORATORY



### Public Notice of Class 2 Permit Modification Request and Public Meeting for Technical Area 54, Building 38 (TA-54-38) West Los Alamos National Laboratory Hazardous Waste Facility Permit, EPA ID No. NM0890010515

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Santa Fe, New Mexico 87505-6313

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Northern New Mexico Citizens' Advisory Board Office

94 Cities of Gold Road in Pojoaque, New Mexico  
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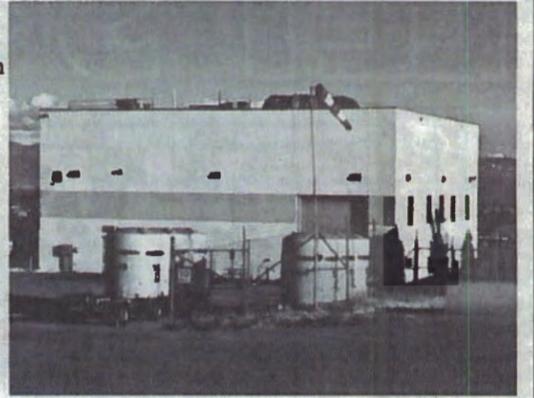
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P.O. Box 1663, MS M996  
Los Alamos, NM 87545 Phone/email: 505-667-0216 / [envoutreach@lanl.gov](mailto:envoutreach@lanl.gov)



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## Call for K-5 Pueblo Teachers

The Indian Pueblo Cultural Center invites Pueblo teachers to participate in a 2013 Pueblo-based curriculum writing project.

Download application at [www.indianpueblo.org/writingproject](http://www.indianpueblo.org/writingproject)

Deadline to submit application June 28, at 4 pm. Applicants must commit to a five day writing workshop in Albuquerque at the Center starting July 28th through August 1, 2013

Lodging, lunches & round-trip mileage are paid. Stipends are paid at the end of the workshop.

For more information Email: [curriculumIPCC@gmail.com](mailto:curriculumIPCC@gmail.com)

# Snowden not on flight to Cuba, whereabouts unclear

**Rafael Gonzalez**  
Associated Press

ANA — Confusion over the whereabouts of National Security Agency leaker Edward Snowden grew Monday after a jetliner flew from Washington to Cuba with an empty seat in his name.

Snowden said earlier that Snowden registered for the flight using his sport, which the United States government annulled.

Snowden, founder of the WikiLeaks whistleblowing organization, Julian Assange, insisted he couldn't go into about where Snowden was, but he was safe.

Snowden has applied for asylum in Iceland and possibly other

countries, Assange said.

An Aeroflot representative who wouldn't give her name told The Associated Press that Snowden didn't board Flight SU150 to Havana, which was filled with journalists trying to track him down. Two AP journalists on the flight confirmed after it arrived Monday evening in Havana that Snowden wasn't on the plane.

Security around the aircraft was heavy prior to boarding in Moscow and guards tried to prevent the scrum of photographers and cameramen from taking pictures of the plane, heightening speculation that Snowden might have been secretly escorted on board.

But about two dozen journalists who made the flight searched up and down the plane after boarding in a fruitless

hunt for Snowden. One increasingly desperate Russian television reporter was briefly convinced that AP reporter Max Seddon might be the NSA leaker.

When the journalists realized Snowden wasn't there, they settled in for a long haul flight to Cuba for nothing. Some read, others chatted.

"A substantial percentage of people on board were journalists," Seddon said. "The flight would have been empty without us."

Security also was tight at the Havana airport, where Cuban officers forced journalists waiting for the flight to arrive to move outside.

Snowden had not been seen since he arrived in Moscow on Sunday from Hong Kong, where he was in hiding for several weeks to evade U.S. justice and

left to dodge efforts to extradite him.

After spending a night in Moscow's Sheremetyevo Airport, he had been expected to fly to Cuba and Venezuela en route to possible asylum in Ecuador.

Experts said it was likely the Russians were questioning Snowden on what he knew about U.S. electronic espionage against Moscow. "If Russian special services hadn't shown interest in Snowden, they would have been utterly unprofessional," Igor Korotchenko, a former colonel in Russia's top military command turned security analyst, said on state Rossiya 24 television.

Ecuadorian Foreign Minister Ricardo Patino said his government had received an asylum request, adding Monday that the decision "has to do with freedom of expression and

with the security of citizens around the world."

Icelandic officials have confirmed receiving an informal request for asylum.

Snowden gave documents to *The Guardian* and *The Washington Post* newspapers disclosing U.S. surveillance programs that collect vast amounts of phone records and online data in the name of foreign intelligence, often sweeping up information on American citizens.

It isn't clear Snowden is finished disclosing highly classified information. Snowden has perhaps more than 200 sensitive documents, Sen. Dianne Feinstein, chairwoman of the Senate Intelligence Committee, said Sunday on CBS's *Face the Nation*.

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...n Mathis said, noting  
...ily hadn't sought a civil  
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...ie gay rights movement  
...n mounting legal and  
...al victories in recent  
...dvocates hope the latest  
...n will lend momentum  
...truggles of transgen-  
...eople.  
...s is by far the high-water  
...r cases dealing with  
...ts of transgendered  
...to access bathrooms,"  
...e Mathis family's attor-  
...ichael Silverman of the  
...ender Legal Defense &  
...ion Fund. He and other  
...tes said the case is one  
...ral potentially ground-  
...ng transgendered civil-  
...ases winding their way  
...n the nation's courts.  
...Maine Supreme Court  
...idering the case of a  
...old transgendered girl  
...is forbidden from using  
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...Staver of Liberty Coun-  
...ch focuses on religious  
...aily litigation, said trans-  
...cases are "a mockery of  
...ghts." He said his group  
...olved defending a depart-  
...ore employee who was  
...ned for ordering a per-  
...o was obviously male  
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Coy was diagnosed with "gender identity disorder" — a designation the American Psy-

can use. Fountain-Fort Carson School District 8 declined to discuss the case Monday. The

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# VALLES

From Page

vote on a resolution, they were notified that it is illegal to take action on items not on the agenda.

Lane argued that a vote was legal under the emergency provision in the Open Meetings Act, which reads: "For purposes of this Subsection, an 'emergency' refers to unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body."

Lane claimed that formal complaint with the Attorney General's Office asking for the vote to be nullified.

Lane also omitted critical information during the meeting.

The bill contains three key provisions concerning hunting and fishing. They are:

(f) Fish and Wildlife- Nothing in this Act affects the responsibilities of the

State with respect to fish and wildlife in the State, except that the Secretary, in consultation with the New Mexico Department of Game and Fish--

(1) shall permit hunting and fishing on land and water within the Preserve in accordance with applicable Federal and State laws; and

(2) may designate zones in which, and establish periods during which, no hunting or fishing shall be permitted for reasons of public safety, administration, the protection of wildlife and wildlife habitats, or public use and enjoyment.

Lane's argument for opposing the legislation captured on the second

"I think they're trying to make the case that the National Park Service is going to break the law," said Jeremy Vesbach, executive director of the New Mexico Wildlife Federation (NMWF). "It wasn't a credible argument. It was just kind of a knee-jerk, fear based reaction. What we found is most agencies tend to get a program in place

and keep it in place."

Vesbach also pointed out that the proposed legislation actually has stronger protections for hunting, since the current legislation does not mandate that the preserve "shall permit hunting and fishing." The board of trustees could legally discontinue those at any time, although high revenues from those activities make that an unlikely scenario.

One of the most important omissions was Lane's failure to inform the commission that under the proposed legislation the Valles Caldera would remain a national preserve, following the model of 18 other national preserves that is not inclined to use sport hunting as a tool to manage wildlife, but rather to call in sharpshooters to cull the population when it gets too large. That's contrary to our mission, that's contrary to good science, and it absolutely is not a benefit to the sportsmen and women of this state or this agency."

"Grand Tetons National

Park is not very comparable. Their authorizing legislation sets up this hunting, kind of management by committee. It's a very complicated system that has led to complicated things on the ground," Vesbach countered in a phone interview. "The current language copies the Great Sand Dunes National Preserve. That's a really applicable model."

Simpson has personally researched other preserves, including Great Sand Dunes.

"We talked to individuals, went up there and talked to managers and everybody seems to be happy with it. There are basically no problems: no backlogs, no locking out



## Unanswered questions

The Los Alamos Monitor emailed New Mexico Department of Game and Fish Director Jim Lane several questions regarding his actions via Lance Cherry, assistant chief, public information and outreach.

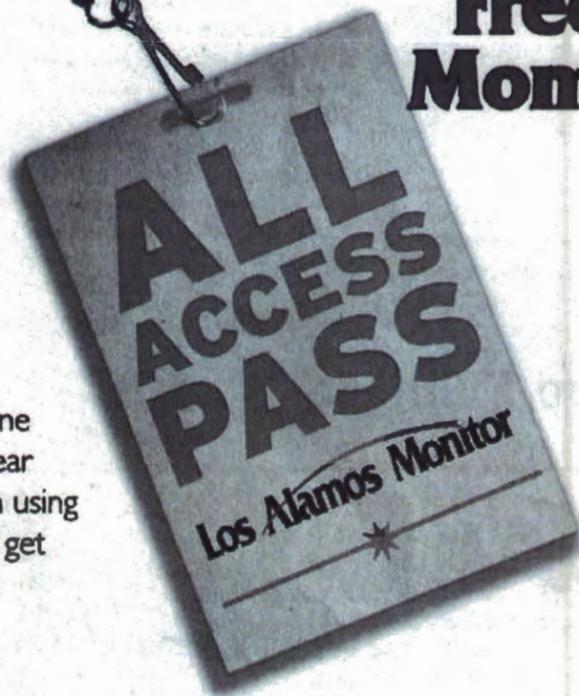
Lane was asked:

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**Los Alamos**  
NATIONAL LABORATORY

June 2013

**Public Notice of Class 2 Permit Modification Request and Public Meeting for Technical Area 54, Building 38 (TA-54-38) West**

Los Alamos National Laboratory Hazardous Waste Facility Permit, EPA ID No. NM0890010515

**Activity:** The U.S. Department of Energy (DOE) and the Los Alamos National Security, LLC (LANS), have requested to modify the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit via a Class 2 permit modification request. The modification supports increases in container storage capacity at the two permitted units located at TA-54-38, West; increases the footprint of the indoor unit at TA-54-38 West; and updates and clarifies text within the Permit.

**Facility:** LANL is owned by DOE, and is operated jointly by DOE and LANS. Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 et seq., NMSA 1978, as amended, 1992) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), the New Mexico Environment Department (NMED) can approve or deny hazardous waste permits and closure plans, permit modifications, and amendments.

**Availability:** The proposed permit modification is available for public review weekdays between 8:00 am and 5:00 pm at  
**NMED - Hazardous Waste Bureau**  
 2905 Rodeo Park Drive East, Building 1  
 Santa Fe, New Mexico 87505-6313

Copies are also available at the LANL Hardcopy Public Reading Room weekdays from 9:00 am to 4:00 pm at  
**Northern New Mexico Citizens' Advisory Board Office**  
 94 Cities of Gold Road in Pojoaque, New Mexico  
<http://www.lanl.gov/community-environmental-newadvisory/public-reading-room.php>

Electronic copies of the permit modification request can also be found in the  
**LANL Electronic Public Reading Room (EPRR) at <http://eprr.lanl.gov>.**

The LANL Hazardous Waste Facility Permit can be found on the NMED LANL Permit web page at:  
<http://www.nmed.state.nm.us/HWB/Permit.htm>

**Meeting:** A public meeting about the permit modification will be held from 5:30 pm to 7:30 pm on  
**July 31, 2013 at Betty Ehart Senior Center, 1101 Bathtub Row, Los Alamos, NM.**

**Comments:** Any person who would like to comment on the proposed Class 2 permit modification may do so by contacting:  
**Dave Cobrain**  
**NMED-Hazardous Waste Bureau,**  
 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505-6313  
 Telephone (505) 476-6000 or e-mail: [dave.cobrain@state.nm.us](mailto:dave.cobrain@state.nm.us).

The Permittee's compliance history during the life of the permit being modified is available from the NMED contact person. The 60-day public comment period for this permit modification will run from June 25, 2013 through August 5, 2013. Any person who wishes to comment on this action should submit written or e-mail comments with the commenter's name and address to the address above. Only written comments received on or before August 26, 2013, will be considered.

**Facility Contact:** If you have questions, please contact Los Alamos National Laboratory.  
**Lorrie Bonds Lopez**  
 Environmental Communication & Public Involvement  
 P.O. Box 1663, MS M996  
 Los Alamos, NM 87545  
 Phone/email: 505-667-0216 / [envoutreach@lanl.gov](mailto:envoutreach@lanl.gov)