

SNL 2004



**National Nuclear Security Administration**

Sandia Site Office  
P.O. Box 5400  
Albuquerque, New Mexico 87185-5400



JAN 23 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. John E. Kieling, Manager  
Permits Management Program  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Road East  
Building 1  
Santa Fe, NM 87505



Dear Mr. Kieling:

On behalf of Sandia Corporation and the Department of Energy (DOE), DOE is requesting a Class 3 permit modification for corrective measure (remedy) selection for the Mixed Waste Landfill (MWL) at Sandia National Laboratories/New Mexico (SNL/NM) (EPA ID No. NM5890110518). The MWL is a solid waste management unit regulated under the Hazardous and Solid Waste Amendments (HSWA) Module of the Resource Conservation and Recovery Act Permit for SNL/NM.

The Corrective Measures Study (CMS) Report for the MWL was transmitted to the New Mexico Environment Department (NMED) on May 21, 2003. The CMS Report evaluated corrective measure alternatives and recommended as a final remedy the construction of a vegetative soil cover for the MWL. On January 5, 2004, the NMED determined that the MWL CMS Report is complete and directed that DOE and Sandia initiate the Class 3 permit modification process for remedy selection.

Under Section IV.Q of the HSWA Module, we are required to initiate the Class 3 process for remedy selection within fifteen days of receipt of approval of the CMS Report. The NMED determination of completeness was received on January 9, 2004. We are proposing that the recommended alternative, construction of a vegetative soil cover for the MWL, be selected through this process.

In accordance with 20.4.1.900 NMAC, incorporating 40 CFR 270.42(c)(1), and Section IV.B.3.b of the above referenced Permit, the following information is provided.

- Proposed changes to the HSWA Module language are provided in Enclosure 1. The proposed permit language includes the information requested by the NMED in the January 5, 2004 letter, specifically: a listing of the contents and a schedule for the corrective measures implementation (CMI), including the submittal of a CMI Work

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Plan, a CMI Report, quarterly CMI progress reports, and a long-term monitoring, maintenance, control and surveillance plan.

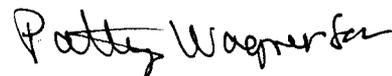
- Based on guidance published by the Environmental Protection Agency, remedy selection is considered a Class 3 modification. (See, e.g., 55 FR 30798, 30834, July 27, 1990.)
- This permit modification is needed to complete the remedy selection process for the MWL and is required by Section IV.Q of the HSWA Module.
- Approval of this request would result in changes only to the HSWA Module of the Permit; there would be no changes to the information required by 20.4.1.900 NMAC, incorporating 40 CFR 270.13 through 270.21, 270.62, or 270.63.

A notice about the permit modification request will be mailed to all persons on the facility mailing list and will be published in the Albuquerque Journal. The notice will be mailed and published within seven days of the date of this request and will include an announcement of the availability of the complete request and supporting documentation at the public reading room. The notice will contain all information required by 20.4.1.900 NMAC, incorporating 40 CFR 270.42(c)(2).

As required by 20.4.1.900 NMAC, incorporating 40 CFR 270.42(c)(3)-(5), DOE will: make available copies of the request and supporting documents in the public reading room; host a public meeting in Albuquerque within the allotted timeframe; and provide a 60-day comment period for public input.

Please contact John Gould at (505) 845-6089 with any questions regarding this submittal.

Sincerely,



Karen L. Boardman  
Manager

Enclosure

cc w/enclosure:

W. Moats, NMED-HWB (via Certified Mail)  
L. King, EPA, Region 6 (2 copies via Certified Mail)  
M. Gardipe, SC/ERD  
C. Voorhees, NMED-OB, Santa Fe  
D. Bierley, NMED-OB

J. Kieling

(3)

cc w/o enclosures:

M. Reynolds, SSO

S. Martin, NMED-HWB

K. Thomas, EPA, Region 6

A. Blumberg, SNL, MS 0141

F. Nimick, SNL, MS 1087

D. Miller, SNL, MS088

D. Fate, SNL, MS 1089

J. Peace, SNL, MS 1089

T. Goering, SNL, MS 1089

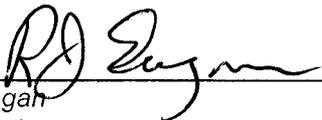
M. Davis, SNL, MS 1089

## CERTIFICATION STATEMENT FOR APPROVAL AND FINAL RELEASE OF DOCUMENTS

**Document title:** Class 3 Permit Modification for the MWL Remedy Selection ,  
January 2004

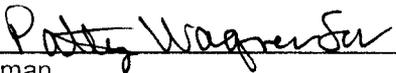
**Document author:** M.J. Davis, Dept. 6135

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations.

Signature:   
Robert J. Eagan  
Vice President  
Energy, Information & Infrastructure Surety  
Division 6000  
Sandia National Laboratories/New Mexico  
Albuquerque, New Mexico 87185  
Operator

1/4/04  
Date

and

Signature:   
Karen L. Boardman  
Manager  
U.S. Department of Energy  
National Nuclear Security Administration  
Sandia Site Office  
Owner and Co-Operator

1-23-04  
Date

## ENCLOSURE 1

### Proposed HSWA Module Language for Mixed Waste Landfill Remedy Selection

#### V. Corrective Measures for the Mixed Waste Landfill

- a.) The report (prepared by the Permittee) *Mixed Waste Landfill Corrective Measure Study Final Report, Sandia National Laboratories, New Mexico*, dated May 2003, is incorporated herein by reference.
- b.) The remedy for the Mixed Waste Landfill shall be as defined as Alternative III.b--Vegetative Soil Cover in the report referenced in V.a of this section.
- c.) A Corrective Measures Implementation (CMI) Plan that incorporates the final remedy described in Section V.b of this section shall be submitted by the Permittee for the Mixed Waste Landfill for the Administrative Authority's approval no later than 180 days following a final determination on the remedy selected. The CMI Plan shall provide details on the design, construction, operation, maintenance, and performance monitoring for the selected remedy, and a schedule for implementation. The CMI Plan shall, at a minimum, include:
  1. A description of the selected remedy;
  2. A description of the remediation system objectives;
  3. An identification and description of the qualifications of key persons, consultants, and contractors that will be implementing the remedy;
  4. Detailed engineering design drawings and systems specifications for all elements of the remedy;
  5. A construction and construction quality assurance work plan;
  6. An operation and maintenance plan;
  7. The results of any remedy pilot tests (such as landfill cover test plots);
  8. A plan for monitoring the performance of the remedy, including sampling and laboratory analysis of all affected media;
  9. A waste management plan;

10. A proposed schedule for submission to the Administrative Authority of periodic progress reports;
  11. A proposed schedule for implementation of the remedy;
  12. A health and safety plan.
- d.) A CMI Report for the Mixed Waste Landfill shall be submitted by the Permittee to the Administrative Authority for approval within 180 days after implementation of the remedy is complete. The CMI Report shall, at a minimum, include:
1. A summary of the work completed;
  2. A statement signed by a registered professional engineer, that the remedy has been completed in full satisfaction of the specifications in the CMI Plan.
  3. As-built drawings and specifications signed and stamped by a registered professional engineer;
  4. Copies of the results of all monitoring, including sampling and analysis, and other data generated during the remedy implementation, if not already submitted in a progress report;
  5. Copies of all waste disposal records, if not already submitted in a progress report;
  6. A certification, signed by a responsible Permittee official stating: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- e.) The Permittee shall submit to the Administrative Authority progress reports during implementation of the remedy in accordance with a schedule approved in the CMI Plan for that landfill. Each of the progress reports shall, at a minimum, include the following information.
1. A description of the work completed during the reporting period;
  2. A summary of all problems, potential problems, or delays encountered during the reporting period;
  3. A description of all actions taken to eliminate or mitigate problems, potential problems, or delays;
  4. A discussion of the work projected for the next reporting period, including all sampling events;
  5. Copies of the results of all monitoring, including sampling and analysis, and other data generated during the reporting period; and
  6. Copies of all waste disposal records generated during the reporting period.
- f.) A long-term monitoring and maintenance plan, which includes all necessary physical and institutional controls to be implemented in the future shall be submitted by the Permittee to the Administrative Authority for approval within 180 days after the Administrative Authority's approval of the CMI Report. The Administrative Authority may require monitoring, maintenance, and physical and institutional controls different than those specified in the Corrective Measures Study report referenced in V.a of this section. Each of the plans shall also include contingency procedures that must be implemented by the Permittee if the corrective measure (Section V.b) fails to be protective of human health and the environment.