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NEW MEXICO
ENVIRONMENT DEPARTMENT

Water & Waste Management Division

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RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 16, 2009

Kimberly A. Davis
Acting Manager
U.S. Department of Energy
NNSA / Sandia Site Office
P.O. Box 5400, MS 0184
Albuquerque, NM 87185-5400

Michael W Hazen
Vice President
Sandia Corporation
P.O. Box 5800, MS 0701
Albuquerque, NM 87185

**RE: NOTICE OF APPROVAL
FINAL REMEDY AND CLOSURE PLAN AMENDMENT
CHEMICAL WASTE LANDFILL
SANDIA NATIONAL LABORATORIES, EPA ID# NM5890110518
NMED-HWB-05-016**

Dear Ms. Davis and Mr. Hazen:

The New Mexico Environment Department (NMED) issued a public notice on May 21, 2007, announcing a public comment period for the draft Post-Closure Care Permit for the Chemical Waste Landfill (CWL), the selection of a final remedy for the CWL based on results of the CWL Corrective Measures Study, and a revised Chapter 12 of the CWL Closure Plan. The public comment period lasted for 90 days, during which six interested parties, including the U. S. Department of Energy and Sandia Corporation (the Permittees), provided comments and requested a hearing.

Subsequent to the comment period, NMED met with the interested parties that accepted NMED's invitation to participate in discussions to resolve comments that gave rise to hearing requests (*see* 20.4.1.901.A(4) NMAC). As part of the discussions, the Permittees submitted to the NMED revisions to the Closure Plan Amendment on March 10, June 25, and August 13, 2009.

NMED and the parties that commented, including the Permittees, were able to reach agreement on the terms of a revised Closure Plan Amendment that modifies Chapter 12 and Appendix G of the CWL Closure Plan (hereafter referred to as the Closure Plan Amendment as Changed), the proposed remedy for the CWL, and the final permit. This agreement is codified in the Settlement Agreement ("Agreement", HWB-09-SNL-CWL) signed by the parties. As part of the Agreement, the parties have withdrawn their hearing requests. The final permit was issued on October 15, 2009.

The NMED hereby approves the Closure Plan Amendment as Changed (copy enclosed) and the final remedy for the CWL (the at-grade cover already installed over the landfill). The Permittees are reminded of the requirements for long-term monitoring of groundwater and subsurface soil gas at the CWL, which are specified in the Closure Plan Amendment as Changed and the final permit, which becomes effective after NMED approves the Permittees' closure certification.

If you have any questions regarding this matter, please contact William P. Moats of my staff at (505) 222-9551.

Sincerely,



Marcy Leavitt
Director
Water and Waste Management Division

Enclosure

cc: J. Bearzi, NMED HWB
J. Kieling, NMED HWB (w/o enclosure)
W. Moats, NMED HWB (w/o enclosure)
B. Grantham, NMED OGC (w/o enclosure)
T. Skibitski, NMED DOE-OB (w/o enclosure)
L. King, EPA-6
A. Reiser, SNL, MS 1042 (w/o enclosure)
J. Cochran, SNL, MS 0719 (w/o enclosure)
J. Gould, DOE/NNSA, MS 0184
File: SNL 2009 and Reading
SNL-05-016