



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
P.O. Box 26110
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MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

May 11, 1998

Ms. Leslie Nichols
Clovis News Journal
P.O. Box 1689
Clovis, NM 88101

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|---------------------------|------------------|-----------|--------------|
| Post-it® Fax Note 7671 | | Date 5/11 | # of pages 4 |
| To Leslie Nichols | From Steve Zappe | | |
| Co./Dept: Clovis News Jnl | Co. NMEED | | |
| Phone # 763-3431 | Phone # 827-1561 | | |
| Fax # 762-3879 | Fax # 827-1544 | | |

Dear Ms. Nichols:

Please publish the enclosed Legal Notice in your Friday, May 15, 1998 edition. Please return a copy of the notice as published with a certificate of date published. Address the bill to:

RCRA Permits Management Program
New Mexico Environment Department
Hazardous and Radioactive Materials Bureau
P.O. Box 26110
2044-A Galisteo
Santa Fe, NM 87502

Thank you for your assistance. If you have any questions, please contact Mr. Steve Zappe at (505) 827-1561.

Sincerely,

Robert S. Dinwiddie
Robert S. (Stu) Dinwiddie, Manager
RCRA Permits Management Program
Hazardous and Radioactive Materials Bureau

Enclosure



LEGAL NOTICE NO. 98-02

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS AND RADIOACTIVE MATERIALS BUREAU
SANTA FE, NM 87502

MAY 15, 1998

NOTICE OF INTENT TO PERMIT A
HAZARDOUS WASTE STORAGE AND DISPOSAL FACILITY
WASTE ISOLATION PILOT PLANT
EPA NO. NM4890139088

The State of New Mexico was authorized in 1986 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**). In 1996, the State was authorized to operate a hazardous waste management program for parts of HSWA. HSWA imposes additional Corrective Action requirements on hazardous waste management facilities for releases to the environment.

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 NMAC 4.1), the New Mexico Environment Department (**NMED**) can approve or deny hazardous waste permits and closure plans, permit modifications, and amendments.

Under this authority, NMED intends to approve a permit, pending public input into this decision, for the U.S. Department of Energy (**DOE**) (Box 3090, Carlsbad, NM 88221) and Westinghouse Electric Company Waste Isolation Division (**WID**) (Box 2078, Carlsbad NM 88221) for storage and disposal of transuranic mixed waste at the Waste Isolation Pilot Plant (**WIPP**) (30 Miles East of Carlsbad on Jal Highway, Carlsbad, NM 88220), EPA No. NM4890139088. NMED received a permit application submitted by DOE and WID on May 26, 1995. NMED received revisions to the application between April 12, 1996 and December 2, 1997.

The administrative record for this proposed action consists of this legal notice, a fact sheet, the Permit application, a Technical Support Document for Corrective Action, and related correspondence and documents. The draft Permit and administrative record may be reviewed during normal business hours at:

NMED Hazardous and Radioactive Materials Bureau
P.O. Box 26110
2044-A Galisteo Street
Santa Fe, NM 87502
Ph (505) 827-1561
Attn: Mr. Steve Zappe

The fact sheet, draft Permit, and Technical Support Document may also be reviewed at the locations listed below:

Santa Fe

Ms. Ann Baumgarn
NMED Library, Harold Runnels Building
1190 St. Francis Drive
Santa Fe, NM 87502
(505) 827-2633

Ms. Jeannie Robinson
Santa Fe Community College Library
6401 Richards Avenue
Santa Fe, NM 87505
(505) 428-1352

Ms. Norma McCallum
New Mexico State Library (after June 8)
1209 Camino Carlos Rey
Santa Fe, New Mexico 87505
(505) 476-9790

Albuquerque

Mr. Bill Bartels
NMED District I Office
4131 Montgomery Blvd, NE
Albuquerque, NM 87109
(505) 841-9450

Mr. Robert Wiberg
Zimmerman Library
Government Publications Dept.
University of New Mexico
Albuquerque, NM 87138
(505) 277-8960

Carlsbad

Ms. Lorie Mitchell
Carlsbad Public Library
101 S. Halaguero Street
Carlsbad, New Mexico 88220
(505) 885-6776

Hobbs

Mr. Earl Dye
Pannell Library, Gov't Documents
New Mexico Junior College
5317 Lovington Highway
Hobbs, New Mexico 88240
(505) 392-5473

Roswell

Mr. Gary McCaslin
NMED District IV Office
1914 West Second
Roswell, NM 88201
(505) 624-6046

Las Cruces

Mr. Ken Smith
NMED District III Office
1001 North Solano Drive
Las Cruces, NM 88001
(505) 524-6300

Please contact the location of your choice for hours when these documents are available for public review.

To obtain any portion of the administrative record, at 35 cents per page, or for further information, please contact Mr. Steve Zappe of

NMED at the Galisteo Street address above. Any person who wishes to comment on the draft Permit or to request a public hearing should submit written comments/requests, along with the commenter's/requestor's name and address, to Dr. Robert Dinwiddie at the above address. Requests for a public hearing shall state the nature of the issues proposed to be raised in a hearing. Only written comments/requests received **between May 15 and close of business August 14, 1998** will be considered. NMED will provide at least a thirty (30) day notice of a public hearing, if scheduled.

All written comments received by the above date and testimony presented at a public hearing, if held, will become part of the administrative record and will be considered in formulating the final decision. NMED may approve, modify and approve, or deny the Permit based on the comments received. NMED will notify DOE, WID, and each person who submitted a written comment during the public comment period (May 15 through August 14, 1998), or any party at a public hearing, of the final decision, including any approved change to the draft Permit, and a detailed written statement of reasons for any such change.