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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 10, 2007

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P.O. Box 5400, MS 0184
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Francis B. Nimick
Deputy Director
Nuclear Energy & Global Securities Technologies
Sandia National Laboratories
P.O. Box 5800, MS 0701
Albuquerque, NM 87185

**RE: PUBLIC NOTICE: PETITIONS FOR CORRECTIVE ACTION COMPLETE (NO FURTHER ACTION) FOR TWENTY-SIX (26) SOLID WASTE MANAGEMENT UNITS / AREAS OF CONCERN, MARCH 2006.
SANDIA NATIONAL LABORATORIES, EPA ID# NM5890110518
HWB-SNL-06-007**

Dear Ms. Wagner and Mr. Nimick:

The New Mexico Environment Department (Department) is issuing a Public Notice regarding the Class 3 permit modification requested by the U.S. Department of Energy (DOE)/Sandia Corporation (the Permittees) on behalf of Sandia National Laboratories (SNL) on March 1, 2006. This modification consists of a request to approve Corrective Action Complete (No Further Action) status for twenty-six (26) solid waste management units (SWMUs)/areas of concern (AOCs) and the transfer of the listings for these SWMUs/AOCs from Table A.1 to Table A.2 of Module IV of the Resource Conservation and Recovery Act (RCRA) Permit issued to the Permittees. The 26 sites proposed for NFA approval are identified in Enclosure 1. The Department intends to restrict future land use for SWMUs 4, 46, 52, 68, 91, 154, 196, 234 and 1090 to industrial use only based on the risk assessment results for the contaminants present at the site (see Table A.2).

Because of the need to restrict land use to industrial, the Department also intends to make the following change to Table A.2: the comment "controls needed" is being added to SWMU/AOCs

SNL1124



Ms. Wagner and Mr. Nimick
December 10, 2007
Page 3

Enclosures

cc: J. Bearzi, NMED HWB
W. Moats, NMED HWB
B. Salem, NMED HWB
T. Skibitski, NMED DOE OB
L. King, EPA, 6PD-N
P. Freshour, SNL, MS 1089
J. Gould, NNSA/DOE MS 0184
File: SNL 2007 and Reading File
SNL-06-007

FACT SHEET / STATEMENT OF BASIS

Sandia National Laboratories
March 2006 Request for Corrective Action Complete
(No Further Action) Status

for

26 Solid Waste Management Units / Areas of Concern

(RCRA Permit No. NM5890110518-1)

December 2007



TABLE OF CONTENTS

A.	Facility Description	1
B.	Background.....	3
C.	Investigation and Remediation	3
D.	Administrative Record.....	5
E.	Corrective Action Complete Criteria.....	6
F.	Public Participation	6
G.	Next Steps.....	7
H.	Contact Person for Additional Information	8
I.	Description of SWMUs and AOCs Proposed for CAC.....	8
	SWMU 4, LWDS Surface Impoundments/Liquid Disposal System.....	8
	SWMU 5, LWDS Drainfield/Liquid Disposal System	14
	SWMU 46, Old Acid Waste Line Outfall	17
	SWMU 49, Building 9820 Drains, Lurance Canyon	23
	SWMU 52, LWDS Holding Tanks	29
	SWMU 68, Old Burn Site	32
	SWMU 91, Lead Firing Site.....	38
	SWMU 101, Building 9926 Explosive Contaminated Sumps and Drains	42
	SWMU 116, Building 9990 Septic System	47
	SWMU 138, Building 6630 Septic System.....	53
	SWMU 140, Building 9965 Septic System, Septic Tanks, and Drainfields	57
	SWMU 147, Building 9925 Septic System, Septic Tanks, and Drainfields	62
	SWMU 149, Building 9930 Septic System	68
	SWMU 150, Building 9939/9939A Septic System, Septic Tanks, and Drainfields	73
	SWMU 154, Building 9960 Septic System, Septic Tanks, and Drainfields	79
	SWMU 161, Building 6636 Septic System.....	88
	SWMU 196, Building 6597 Cistern	92
	SWMU 233, Storm Drain System Outfall.....	96
	SWMU 234, Storm Drain System Outfall.....	100
	AOC 1090, Building 6721 Septic System.....	104
	AOC 1094, Live Fire Range East Septic System (Lurance Canyon).....	108
	AOC 1095, Building 9938 Seepage Pit (Coyote Test Field).....	112
	AOC 1114, Building 9978 Drywell.....	116
	AOC 1115, Former Offices Septic System	119
	AOC 1116, Building 9981A Seepage Pit	123
	AOC 1117, Building 9982 Drywell, Solar Tower Complex	126
J.	References	129

LIST OF FIGURES

Figure		Page
1	Location Map of Sandia National Laboratories, Albuquerque, New Mexico.....	2
2	Site Map of SWMU 4, LWDS Surface Impoundments	12
3	Site Map of Liquid Waste Disposal System (SWMUs 4, 5 and 52)	12
4	Site Map of SWMU 5, LWDS Drainfield	16
5	Site Map of SWMU 46, Old Acid Waste Line Outfall	18
6	Site Map of Drain and Septic Systems SWMU 49, Bldg. 9820 Drains, Lurance Canyon	24
7	Location Map of Groundwater Monitoring Well CYN-MW5 at Drain and Septic Systems SWMU 49, Bldg. 9820 Drains, Lurance Canyon	25
8	Site Map of SWMU 52, LWDS Holding Tanks	30
9	RFI Sampling Locations at SWMU 68, Old Burn Site	36
10	SWMU 91 and Other Near by SWMUs	39
11	Site Map of Drain and Septic Systems SWMU 101, Building 9926 Explosive Contaminated Sumps and Drains, Coyote Test Field	45
12	Site Map of Drain and Septic Systems SWMU 116, Building 9990 Septic System, Coyote Test Field	50
13	Location Map of Groundwater Monitoring Well CTF-MW1 at Drain and Septic Systems SWMU 116, Bldg. 9990 Septic System, Coyote Test Field	52
14	Site Map of Drain and Septic Systems SWMU 138, Bldg. 6630 Septic System, TA-III	54
15	Site Map of Drain and Septic Systems SWMU 140, Bldg 9965 Septic System, Septic System, Thunder Range	5859
16	Site Map of the North and West Drainfields at Drain and Septic Systems SWMU 147, Bldg 9925 Septic Systems, Coyote Test Field	64
17	Site Map of the South Drainfield at Drain and Septic Systems SWMU 147, Bldg 9925 Septic Systems, Coyote Test Field	65

LIST OF FIGURES (Concluded)

Figure	Page
18	Site Map of Drain and Septic Systems SWMU 149, Bldg. 9930 Septic System, Septic, Coyote Test Field71
19	Location Map of Groundwater Monitoring Well CTF-MW3 at Drain and Septic Systems SWMU 149, Bldg. 9930 Septic System, Coyote Test Field74
20	Site Map of Drain and Septic Systems SWMU 150, Building 9939/9939A Septic System, Coyote Test Field756
21	Site Map of Drain and Septic Systems SWMU 154, Bldg. 9960 Septic System, Coyote Test Field801
22	Location Map of the Bldg. 9961 Seepage Pit, near Drain and Septic Systems SWMU 154 and Groundwater Monitoring Well CTF-MW2.....86
23	Site Map of Drain and Septic Systems SWMU 161, Building 6636 Septic System.....90
24	Location of Soil Samples 1994-2003 at SWMU 196, Building 6597 Cistern954
25	Soil Sampling Locations for SWMU 233, Storm Drain System Outfall998
26	Soil Sampling Locations for SWMU 234, Storm Drain System Outfall1041
27	Site Map of Drain and Septic Systems AOC 1090, Bldg. 6721 Septic System.....1065
28	Site Map of Drain and Septic Systems AOC 1094, Live Fire Range East Septic System, Lurance Canyon1120
29	Site Map of Drain and Septic Systems AOC 1095, Bldg. 9938 Seepage Pit, Coyote Test Field1164
30	Site Map of Drain and Septic Systems AOC 1114, Bldg. 9978 Drywell, Coyote Test Field1178
31	Site Map of Drain and Septic Systems AOC 1115, Former Offices Septic System, Solar Tower Complex1232
32	Site Map of Drain and Septic Systems AOC 1116, Bldg. 9981A Seepage Pit, Solar Tower Complex1254
33	Site Map of Drain and Septic Systems AOC 1117, Bldg. 9982 Drywell, Solar Tower Complex1297

LIST OF TABLES

Table		Page
1	NFA SWMU/AOC, Submittal Dates and Batches, and Comment Dates for Sites That Could Be Appropriate for NFA	4
2	Risk Assessment Values for SWMU 4 Nonradiological COCs.....	13
3	Risk Assessment Values for SWMU 5 Nonradiological COCs.....	16
4	Risk Assessment Values for SWMU 46 Nonradiological COCs.....	21
5	Risk Assessment Values for SWMU 49 Nonradiological COCs.....	28
6	Risk Assessment Values for SWMU 52 Nonradiological COCs.....	32
7	Risk Assessment Values for SWMU 68 Nonradiological COCs.....	37
8	Risk Assessment Values for SWMU 91 Nonradiological COCs.....	42
9	Risk Assessment Values for SWMU 101 Nonradiological COCs.....	47
10	Risk Assessment Values for SWMU 116 Nonradiological COCs.....	51
11	Risk Assessment Values for SWMU 138 Nonradiological COCs.....	56
12	Risk Assessment Values for SWMU 140 Nonradiological COCs.....	61
13	Risk Assessment Values for SWMU 147 Nonradiological COCs.....	68
14	Risk Assessment Values for SWMU 149 Nonradiological COCs.....	73
15	Risk Assessment Values for SWMU 150 Nonradiological COCs.....	78
16	Risk Assessment Values for SWMU 154 Nonradiological COCs.....	87
17	Risk Assessment Values for SWMU 161 Nonradiological COCs.....	91
18	Risk Assessment Values for SWMU 196 Nonradiological COCs.....	95
19	Risk Assessment Values for SWMU 233 Nonradiological COCs.....	99
20	Risk Assessment Values for SWMU 234 Nonradiological COCs.....	103

LIST OF TABLES (Concluded)

Table	Page
21	Risk Assessment Values for AOC 1090 Nonradiological COCs.....108
22	Risk Assessment Values for AOC 1094 Nonradiological COCs.....112
23	Risk Assessment Values for AOC 1095 Nonradiological COCs.....115
24	Risk Assessment Values for AOC 1114 Nonradiological COCs.....119
25	Risk Assessment Values for AOC 1115 Nonradiological COCs.....121
26	Risk Assessment Values for AOC 1116 Nonradiological COCs.....126
27	Risk Assessment Values for AOC 1117 Nonradiological COCs.....129

ACRONYMS AND ABBREVIATIONS

AOC	Area of Concern
AT&T	American Telephone and Telegraph
bgs	below ground surface
CAC	Corrective Action Complete
CEARP	Comprehensive Environmental Assessment and Response Program
COA	City of Albuquerque
COC	constituent of concern
COPECs	constituents of potential ecological concern
cy	cubic yard(s)
DCG	derived concentration guidelines
DOE	U.S. Department of Energy
DSS	drain and septic systems
EB	equipment blank
EPA	U.S. Environmental Protection Agency
ER	Environmental Restoration
FPTS	Flyer Plate Test Site
ft	foot (feet)
gpd	gallon(s) per day
GS	Gore-Sorber™
HE	high explosives
HI	hazard index
HQ	hazard quotient
HSWA	Hazardous and Solid Waste Amendments
HWB	Hazardous Waste Bureau
J	estimated value
KAFB	Kirtland Air Force Base
kg	kilogram(s)
L	liter(s)
LECS	Liquid Effluent Control System
LWDS	Liquid Waste Disposal System
MDA	minimum detectable activity
MDL	method detection limit
NFA	no further action
NMED	New Mexico Environment Department
NNSA	National Nuclear Security Administration
PCB	polychlorinated biphenyl
pCi	picocurie(s)
ppbv	parts per billion by volume
PSL	Physical Science Laboratory
RCRA	Resource Conservation and Recovery Act
RFI	RCRA Facility Investigation
RMMA	Radiological Materials Management Area

ACRONYMS AND ABBREVIATIONS (Concluded)

RPSD	Radiation Protection Sample Diagnostics
RSI	Request for Supplemental Information
SAP	Sampling and Analysis Plan
SEM	scanning electron microscope
SERF	Sandia Engineering Reactor Facility
SNAP	Space Nuclear Program
SNL	Sandia National Laboratories/New Mexico
SVOC	semivolatile organic compound
SWMU	Solid Waste Management Unit
TA	Technical Area
TAG	Tijeras Arroyo Groundwater
TB	trip blank
TCE	trichloroethene
TCLP	toxicity characteristic leaching procedure
TPH	total petroleum hydrocarbons
UCL	upper confidence limit
USFS	U.S. Forest Service
UXO	unexploded ordnance
VCM	voluntary corrective measure
VOC	volatile organic compound
XRF	x-ray fluorescence
yd	yard(s)

FACT SHEET / STATEMENT OF BASIS

Request for Corrective Action Complete (No Further Action) Status for 26 Solid Waste Management Units / Areas of Concern

Sandia National Laboratories, EPA ID No. NM5890110518

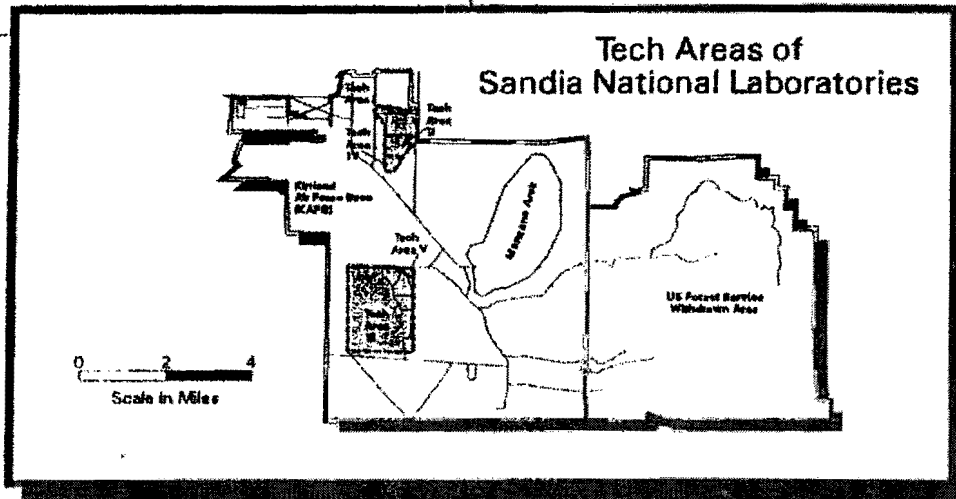
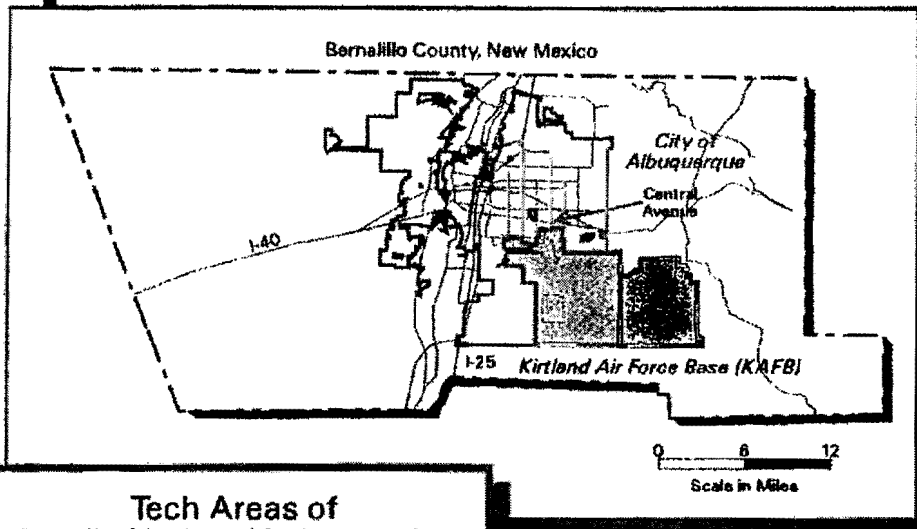
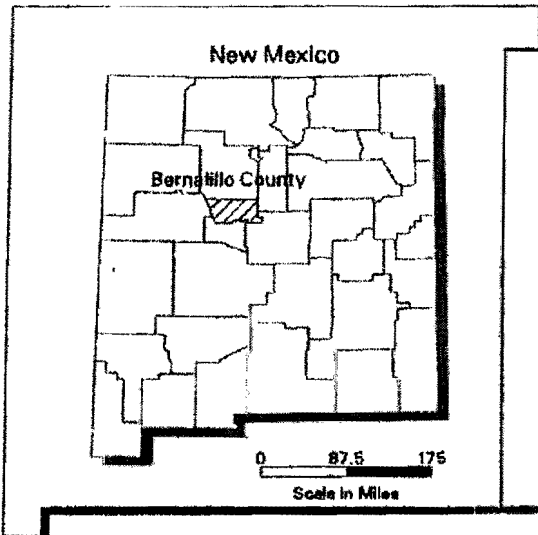
Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 *et seq.*, NMSA 1978, as amended, 1992) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), the New Mexico Environment Department (Department) can approve or deny hazardous waste permits, closure plans, permit modifications, and amendments. Under this authority, the Department intends, pending public input, to approve a March 14, 2006, Class 3 permit modification request from the U.S. Department of Energy (DOE)/Sandia Corporation (Permittees) for corrective action complete (CAC) status for 26 Solid Waste Management Units (SWMUs)/Areas of Concern (AOCs) at the Sandia National Laboratories/New Mexico (SNL) Facility. The Class 3 Permit modification request is subject to 20.4.1.900 NMAC incorporating 40 CFR 270.42(c) and 20.4.1.901 NMAC. The SWMUs/AOCs are listed in the Hazardous and Solid Waste Amendments (HSWA) Corrective Action Module IV, which is part of the Permittees' Resource Conservation and Recovery Act (RCRA) Hazardous Waste Management Facility Permit (NM5890110518-1).



All of the AOCs subject to this permit modification request are also properly classified as SWMUs. The AOC designation in some of the names of the SWMUs is retained in this document as a matter of maintaining consistency with the names listed in the Facility's RCRA Permit

A. Facility Description

SNL is located within the boundaries of Kirtland Air Force Base (KAFB) near Albuquerque in Bernalillo County, New Mexico (Figure 1). KAFB covers 52,223 acres on a high arid mesa approximately 5 miles east of the Rio Grande. SNL occupies 2,829 acres of land owned by the DOE and an additional 14,920 acres of land provided through land-use permits with KAFB, the U.S. Forest Service (USFS), the State of New Mexico, and the Isleta Indian Reservation. Sandia Corporation, a former subsidiary of American Telephone and Telegraph (AT&T) Corporation, operated the properties for the DOE from the time of its opening in 1945 until September 1993, when Martin Marietta Corporation (now Lockheed Martin) took over operations from AT&T. Sandia Corporation is now owned by Lockheed-Martin, Inc. The Facility is owned by the DOE and co-operated by the DOE and Sandia Corporation.

SNL is engaged in research and development of conventional and nuclear weapons, alternative energy sources and a wide variety of national security related research and development. SNL consists of five technical areas (TAs) and several test areas. The primary mission of SNL is to provide engineering and testing support for nuclear weapons components and related systems. During the late 1940s, the final assembly of weapons was conducted at SNL. Since 1949, SNL has been dedicated to research, development and testing. SNL currently employs approximately 9,300 people. As a result of its testing and research activities, SNL generates hazardous, radioactive, mixed (those wastes containing both hazardous and radioactive components) and solid wastes. From 1945 to 1988 most of these wastes were disposed of at SNL at numerous



	Source: SNL EGIS Database	
	Sandia National Laboratories, New Mexico Environmental Geographic Information System	
Figure 1 The Location of Sandia National Laboratories Albuquerque, New Mexico		
	<small>scmorri</small>	<small>12/0/88</small>
	<small>SNL GIS ORG. 8804</small>	
	<small>sm990863.dxf</small>	<small>MAPID - 990063</small>

locations which have been classified by the Department as SWMUs or AOCs. The SWMUs/AOCs include unpermitted landfills, septic system drainfields and seepage pits, outfalls, waste piles and test areas. Past waste management activities at SNL have caused the release of hazardous, mixed and radioactive contaminants into the environment.

SNL is located at 1515 Eubank SE, Albuquerque, New Mexico, 87123. The National Nuclear Security Administration (NNSA)/DOE Sandia Site Office (SSO) is located at KAFB-East, Pennsylvania & H Street, Albuquerque, NM 87116. The Permittee's primary contact for this action is Mr. John Gould, NNSA/SSO, DOE, P. O. Box 5400, Albuquerque, NM 87185.

B. Background

The U.S. Environmental Protection Agency (EPA) issued Module IV to the RCRA Operating Permit, effective August 26, 1993. Module IV required investigation and corrective action at approximately 200 Environmental Restoration (ER) sites (referred to as SWMUs/AOCs in the permit). On January 2, 1996, the Department received authorization from the EPA for corrective action under the HSWA and became the administrative authority for this action.

The Permittees have submitted a total of 28 batches of NFA documents to EPA and/or the Department for approval. This Statement of Basis describes 26 SWMU/AOCs. Table 1 lists the regulatory correspondence related to the submittal, review and responses for each of these SWMU/AOCs. Prior to the 10th submission, all SWMU/AOCs were referred to as *ER Sites*.

If approved, the proposed modification would grant CAC (NFA) Status for 26 SWMU/AOCs. Table A.1, Module IV of the Permittees' RCRA Permit lists SWMU/AOCs at the SNL facility where corrective action is necessary to characterize and/or remediate past releases of hazardous wastes or hazardous waste constituents. Based on public comments, it is possible that CAC status will not be approved for some of the SWMU/AOCs included in this permit modification request. If any SWMU/AOCs are not approved for CAC status, their names will remain listed on Table A.1. If this modification is approved by the Department for some or all of the 26 SWMU/AOCs the listings of the approved SWMU/AOCs would be transferred from Table A.1 to Table A.2. Table A.2 lists SWMU/AOCs for which corrective action is not required.

Because of the need to restrict land use to industrial, the Department also intends to make the following change to Table A.2: the comment "controls needed" is being added to SWMU/AOCs 4, 46, 52, 68, 91, 154, 196, 234 and 1090. In addition, NMED intends to list the contaminated groundwater at Technical Area V as a SWMU on the Permittees' RCRA Permit, given the relationship of the contaminated groundwater in particular to SWMU 5 (Liquid Waste Disposal System Drainfield). SWMU 5 is among those being proposed for CAC; however, additional corrective action is required for the groundwater, which is listed in Table XI-3 of the Sandia Order on Consent (April 29, 2004) as "TA-V Groundwater". Similarly, the NMED also intends to list the contaminated groundwater at the Burn Site as a SWMU (also listed on Table XI-3 of the Order on Consent as "Burn Site Groundwater").

C. Investigation and Remediation

The Department has developed CAC criteria that are used during the investigation and remediation (if necessary) of SWMU/AOCs and that are used to determine the appropriateness

of proposing CAC for any particular SWMU/AOC. In the case of this Class 3 Permit Modification request, it was determined that each of the SWMU/AOCs were characterized and remediated (if necessary) in accordance with current applicable state and/or federal regulations, and confirmatory data indicate that any remaining contaminant concentrations pose acceptable levels of risk to human health and the environment under current and projected future land uses (Criterion 5, see Section E below).

Section I, below, briefly describes the location, history, evaluation of relevant information and the basis for determination for each of the 26 SWMU/AOCs proposed for CAC. More detailed descriptions of the particulars for each SWMU/AOC can be found in the original RCRA Facility Investigation Report or other reports for each SWMU/AOC. The CAC proposal for each SWMU/AOC is correlated to a NFA/CAC batch (refer to Table 1; a batch is a collection of corrective-action-related reports submitted on a given date).

**Table 1
Regulatory Correspondence by SWMU/AOC Number**

SWMU/ AOC Number	OU	Date Submitted / CAC (NFA) Batch (AOC Round)	Latest Date Submittal of NOD, RSI, or Supplemental Information	NMED Criterion for NFA Proposal
4	1307	September 1995 / LWDS RFI Report	January 2006	5
5	1307	September 1995 / LWDS RFI Report	June 2005	5
46	1309	August 1995 / 2	August 2005	5
49	1295	July 1996 / 4 (9)	June 2005	5
52	1307	September 1995 / LWDS RFI Report	June 2005	5
68	1334	September 2005 / --	March 2006	5
91	1335	June 2005 / --	June 2005	5
101	1295	July 1996 / 4 (9)	June 2005	5
116	1295	July 1996 / 4 (9)	June 2005	5
138	1295	July 1996 / 4 (9)	June 2005	5
140	1295	January 1997 / 6 (10)	September 2005	5
147	1295	May 1997 / 7 (10)	September 2005	5
149	1295	July 1996 / 4 (9)	June 2005	5
150	1295	January 1997 / 6 (10)	September 2005	5
154	1295	August 1997 / 8 (9)	January 2006	5
161	1295	July 1996 / 4 (9)	June 2005	5
196	1306	June 1996 / TA 3/5 RFI Report	October 2005	5
233	1309	August 1995 / 2	June 2005	5
234	1309	August 1995 / 2	June 2005	5
1090	1295	December 2004 / 25 (7)	December 2005	5
1094	1295	September 2005 / 28 (10)	April 2005	5
1095	1295	September 2005 / 28 (10)	April 2005	5
1114	1295	September 2005 / 28 (10)	April 2005	5
1115	1295	September 2005 / 28 (10)	April 2005	5
1116	1295	September 2005 / 28 (10)	April 2005	5
1117	1295	September 2005 / 28 (10)	April 2005	5

AOC = Area of Concern.
CAC = Corrective Action Complete

NA = Not applicable.
NFA = No Further Action.
NMED = New Mexico Environment Department.
NOD = Notice of Deficiency.
OU = Operable Unit.
RSI = Request for Supplemental Information.
SWMU = Solid Waste Management Unit.

D. Administrative Record

The Administrative Record for this proposed action consists of the SNL Permit modification request, the Statement of Basis/Fact Sheet, this Public Notice, the draft Permit that consists of the proposed Tables A.1 and A.2, and the referenced supporting documentation. The complete Administrative Record may be reviewed at the following location during the public comment period with prior appointment:

NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
(505) 476-6000
Monday - Friday from 8:00 a.m. to 5:00 p.m.
Contact: Pam Allen

A copy of the Statement of Basis/Fact Sheet, the Public Notice, and the draft Permit that consists of the proposed Tables A.1 and A.2, are available electronically on the NMED website at: www.nmenv.state.nm.us/HWB/snlperm.html under No Further Action or may be reviewed at the following location during the public comment period with prior appointment:

NMED-District 1 Albuquerque Office
5500 San Antonio NE
Albuquerque, New Mexico 87109
(505) 222-9551
Monday - Friday from 8:00 a.m. to 5:00 p.m.
Contact: William Moats

Any person seeking additional information regarding this notice or the draft permit may also contact:

Mr. John E. Kieling, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, New Mexico 87505-6303
E-mail: john.kieling@state.nm.us
Telephone: (505) 476-6000
Fax: (505) 476-6030

To obtain a copy of the Administrative Record or a portion thereof, in addition to further information, please contact Ms. Pamela Allen at (505) 476-6000, or at the Santa Fe address given

above. NMED will provide copies, or portions thereof, of the Administrative Record at a charge to the requestor.

E. Corrective Action Complete Criteria

CAC status may be proposed based upon one or more of the following: field surveys, historical records, aerial photographs, employee interviews and/or confirmatory sampling results that indicate that there has not been a release of hazardous wastes or constituents to the environment or that the release does not pose a significant risk to human health or the environment. The criteria to propose a SWMU/AOC for CAC are:

1. The SWMU/AOC cannot be located, does not exist, is a duplicate SWMU/AOC, or is located within—and, therefore, investigated as part of—another SWMU/AOC.
2. The SWMU/AOC has never been used for the management (that is, generation, treatment, storage, or disposal) of RCRA solid or hazardous wastes and/or constituents or other Comprehensive Environmental Response, Compensation and Liability Act hazardous substances.
3. No release to the environment has occurred nor is likely to occur in the future. The term “release” includes any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping or disposing of hazardous wastes (including hazardous constituents) into the environment.
4. There was a release but the site was characterized and/or remediated under another authority that adequately addressed corrective action, and documentation such as a closure letter is available.
5. The SWMU/AOC has been characterized or remediated in accordance with current applicable state and/or federal regulations and the available data indicate that contaminants pose an acceptable level of risk under current and projected future land use.

The 26 SWMU/AOCs are proposed for CAC by the Permittees on the basis that they were characterized and/or remediated in accordance with current applicable state or federal regulations (Criterion 5). Based on risk assessment results, future land use at SWMU/AOCs 4, 46, 52, 68, 91, 154, 196, 234 and 1090 will be restricted to industrial use only.

F. Public Participation

Twenty-eight people (including representatives from DOE, SNL and the Department) attended a public meeting arranged by the Permittees on March 22, 2006 at the Cesar Chavez Community Center. Written comments from the public included concerns that the determination of Corrective Action Complete with Institutional Controls be clarified as to type and duration; that institutional controls be placed on SWMU 116 as it lies within the boundaries of SWMU 154 which is recommended for institutional controls; that the US Forest Service be given the opportunity to review the Corrective Action Complete proposals in the Withdrawn Area; that a cost benefit analysis be performed upon each ER site; that public outreach efforts in relation to

these poster sessions be improved to bring in more people, in particular those living adjacent to the ER sites such as those at Isleta Pueblo; that the assessment of potential ground water impacts from the ER sites may be inadequate due to the de-coupling of the soil impacts from potential ground water impacts by assessing regional ground water impacts and whether the Department was involved in this decision and whether efforts by SNL and KAFB to assess ground water impacts are being coordinated; and, a request for further clarification as to the difference between a SWMU and an AOC, a NFA and a CAC and as to why NFA or CAC is being proposed for sites that are still active.

NMED issues this public notice on **December 10, 2007** to announce the beginning of a 60-day comment period that will end at **5:00 p.m., February 8, 2008**. Any person who wishes to comment on this action or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. Only comments and/or requests received on or before **5:00 p.m. MST, February 8, 2008** will be considered.

John E. Kieling, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505-6303
Ref: Sandia National Laboratories – 26 SWMUs/AOCs
E-mail: john.kieling@state.nm.us

Written comments must be based on the Administrative Record. Documents in the Administrative Record need not be re-submitted if referenced by the commenter. Requests for a public hearing shall provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all persons whom the requestor represents; (3) a statement of any objections to the proposed action, including specific references; and (4) a statement of the issues which such persons propose to raise for consideration at the hearing. Written comment and requests for Public Hearing must be filed with Mr. John Kieling on or before **5:00 p.m. MST, February 8, 2007**. The NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley by 10 days prior to the end of the public comment period at the following address: New Mexico Environment Department, Room N-4030, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico 87502-6110, (505) 827-9872. TDD or TDY users please access Ms. Bentley's number via the New Mexico Relay Network at 1-800-659-8331.

G. Next Steps

The Department must ensure that the approved final Permit will be consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted on the draft Permit will become part of the administrative record, will be considered in formulating a final decision, and may cause the draft Permit to be modified. The Department will respond in writing to all significant public comment. The response will specify which provisions, if any, of the draft Permit have been changed in the final Permit decision, and the reasons for the change.

The response will also be posted on the Department website in addition to the Department notifying all persons providing written comments.

After consideration of all written public comments received, the Department will issue, or modify and issue, or disapprove the Permit modification. If the Department modifies the Permit, the Permittees shall be provided by mail a copy of the modified Permit and a detailed written statement of the reasons for the modifications. The Department Secretary will make the final decision publicly available and shall notify the Permittees by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act. All persons on the mailing list, or that provided written comments, or who requested notification in writing, will be notified of the final decision by mail.

The final decision will become effective thirty (30) days after service of the decision to the Permittees, unless a later date is specified or review is requested under the New Mexico Hazardous Waste Management Regulations, 20.4.1 NMAC, Section 901.E, *Hearings*.

H. Contact Person for Additional Information

For additional information, contact the following individuals:

John E. Kieling, Program Manager
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Ref: SNL – 26 No Further Actions March 2006
Email: john.kieling@state.nm.us
Telephone: (505) 476-6000
Fax: (505) 476-6030

Mr. William Moats
New Mexico Environment Department
Hazardous Waste Bureau
5500 San Antonio NE
Albuquerque, New Mexico 87109
Ref: SNL – 26 No Further Actions March 2006
Email: william.moats@state.nm.us
Telephone: (505) 222-9551
Fax: (505) 222-9510

I. Description of SWMUs and AOCs Proposed for CAC

SWMU 4, LWDS Surface Impoundments/Liquid Disposal System

Site Location

SWMU 4, the Liquid Waste Disposal System (LWDS) Surface Impoundments, is located northwest of TA-V (Figure 2). The LWDS consisted of three individual SWMUs including SWMU 52, the Holding Tanks; SWMU 5, the Drainfield; and SWMU 4, the Surface Impoundments (Figure 3).