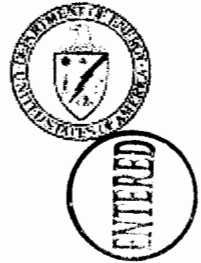




National Nuclear Security Administration  
Sandia Site Office  
P.O. Box 5400  
Albuquerque, New Mexico 87185-5400



**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

JAN 7 2008

**RECEIVED**

JAN 10 2008

Mr. James Bearzi  
Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Road East Building E  
Santa Fe, New Mexico 87505

Dear Mr. Bearzi:

On behalf of Sandia Corporation and the Department of Energy (DOE), DOE is initiating a Class 3 Modification for the designation of four (4) solid waste management units (SWMUs) and one (1) area of concern (AOC) as “approved for No Further Action” in Table A.2 of the Hazardous and Solid Waste Amendments (HSWA) Module (Module IV) of the Resource Conservation and Recovery Act (RCRA) Permit for Sandia National Laboratories/New Mexico (SNL/NM) (EPA ID No. NM5890110518-1).

On April 29, 2004, the Compliance Order on Consent (Consent Order) for SNL/NM became effective. Section III.W.3.b of the Consent Order indicates that when a SWMU or AOC has been issued a certificate of completion, a “Class 3 Permit Modification for Corrective Action Complete” may be initiated.

For each SWMU or AOC identified in this request, the rationale for designation as “no further action approved” has been documented in a Corrective Action Complete (CAC) proposal, a No Further Action (NFA) proposal (for SWMUs) or a SWMU Assessment Report (for AOCs), and in some cases, additional documents such as responses to a Request for Supplemental Information (RSI), responses to a Notice of Deficiency (NOD), or supplemental documents. The CAC proposals, NFA proposals, SWMU Assessment Reports and applicable additional documents have been reviewed by the New Mexico Environment Department (NMED) and NMED has issued a Certificate of Completion for CAC for each SWMU/AOC.

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:

DOE requests that the five (5) SWMU/AOCs, identified in Enclosure 1, be designated as no further action approved (Corrective Action Complete) in Table A-2 of the HSWA Module. When the new RCRA permit is issued for SNL/NM, two new tables (CAC with Controls and CAC without Controls) will be added to the corrective action provisions and these five (5) SWMU/AOCs will be included on the appropriate table. (All but SWMUs 8, 58, and 105 are expected to be included on the table CAC without Controls. SWMUs 8, 58, and 105 are



Mr. Bearzi

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JAN 7 2008

expected to be designated as CAC with Controls.) This permit modification is needed to designate the five (5) SWMUs/AOCs as no further action approved in Table A-2. The information necessary for this designation is presented in the CAC proposals, NFA proposals, SWMU Assessment Reports, and, if applicable, associated comments and responses.

For each SWMU/AOC, the following information is provided in Enclosure 1: CAC proposal date, NFA proposal or SWMU Assessment Report submittal date, the CAC/NFA batch number, and applicable supplementary submittal dates. Copies of the CAC proposals, NFA proposals, SWMU Assessment Reports and supplementary information are available for public review at the University of New Mexico Zimmerman Library, Government Documents Section.

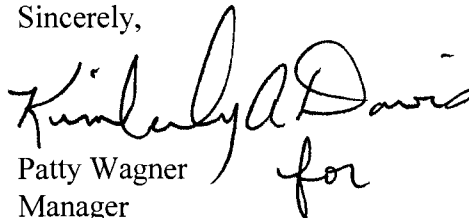
The requested modification, asking that no further action approved (Corrective Action Complete) determinations be finalized for the specified sites, is a Class 3 permit modification. Approval of this request would result in changes only to the HSWA Module of the Permit; there would be no changes to the 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.

If you have any questions regarding this submittal, please contact me at (505) 845-6036, or Dan Pellegrino of my staff, at (505) 845-5398.

Sincerely,

  
Patty Wagner  
Manager

Enclosure

cc w/enclosure:

W. Moats, NMED-HWB (Via Certified Mail)

L. King, EPA, Region 6 (Via Certified Mail)

T. Skibitski, NMED-OB

B. Birch, NMED-OB

Mr. Bearzi

(3)

JAN 7 2000

cc w/o enclosure:

A. Blumberg, SNL/NM, Org. 11100, MS 0141

D. Miller, SNL/NM, Org 6765, MS 0718

P. Freshour, SNL/NM, Org. 6765, MS 1089

M. Skelly, SNL/NM, Org. 6765, MS 1089

S. Griffith, SNL/NM, Org. 6765, MS 1089

B. Langkopf, SNL/NM, Org. 6765, MS 1089

M. Davis, SNL/NM, Org. 6765, MS 1089

Records Center, SNL/NM, Org.6765, MS 1089

T. Longo, HQ/GTN, NA-56

J. Estrada, SSO, MS 0184

## CERTIFICATION STATEMENT FOR APPROVAL AND FINAL RELEASE OF DOCUMENTS

**Document title: Class 3 Permit Modification to the Hazardous and Solid Waste  
Amendments Module of the Resource Conservation and Recovery  
Act Permit, January 2008**

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**Document author: Brenda Langkopf, Dept. 6765**

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: *Francis B. Nimick*  
Francis B. Nimick  
Deputy to the  
Nuclear Energy and Global Security Technologies  
Center 6700  
Sandia National Laboratories/New Mexico  
Albuquerque, New Mexico 87185  
Operator

12/11/07

Date

and

Signature: *Kimberly A. Davis*  
Patty Wagner  
Manager  
U.S. Department of Energy  
National Nuclear Security Administration  
Sandia Site Office  
Owner and Co-Operator

12/19/07  
Date

## ENCLOSURE 1

### Identification of SWMUs Proposed for Corrective Action Complete (No Further Action Approved) and Associated Documentation

SWMU/AOC	NFA/CAC Date Submitted/Batch	Submittal of Supplementary Information with Date
ER Site 8    Open Dump (Coyote Canyon Blast Area)	April 2005/--	RSI Response March 2006 NOD Response December 2006
ER Site 28-2 Mine Shaft	September 1995/3	RSI Response June 1997 VCA Report April 2004
ER Site 58    Coyote Canyon Blast Area	April 2005/--	RSI Response March 2006 NOD Response December 2006
ER Site 105    Mercury Spill (Building 6536)	September 1994/1 July 2006/--	Comment Responses May 1995 --
AOC 1101    Building 885 Septic System	December 2003/DSS Round 3	RSI Response June 2006

--    = A single CAC document was submitted to the NMED and no batch number was assigned or no supplementary information was provided following the NFA/CAC submittal.

AOC = Area of Concern.

CAC = Corrective Action Complete.

DSS = Drain and Septic System.

ER    = Environmental Restoration.

NFA   = No Further Action.

NOD   = Notice of Deficiency.

RSI   = Request for Supplemental Information.

SWMU = Solid Waste Management Unit

VCA   = Voluntary Corrective Action.

**NOTICE**  
**Sandia National Laboratories**  
**Environmental Restoration Project**

**Notification of a Request for a Class 3 Permit Modification  
To the Hazardous and Solid Waste Amendments Module  
Of the Resource Conservation and Recovery Act Permit**

**No Further Action Approved Determinations**

The Department of Energy (DOE) hereby notifies you that it is initiating a Class 3 Modification for the designation of four (4) solid waste management units (SWMUs) and one (1) area of concern (AOC) as "approved for No Further Action" in Table A.2 of the Hazardous and Solid Waste Amendments (HSWA) Module (Module IV) of the Resource Conservation and Recovery Act (RCRA) Permit for Sandia National Laboratories/New Mexico (SNL/NM) (EPA ID No. NM5890110518-1).

For each SWMU or AOC, the rationale for no further action designation has been documented in either a No Further Action (NFA) proposal (for SWMUs and AOCs) or a Proposal for Corrective Action Complete (CAC) (for SWMUs). The New Mexico Environment Department (NMED) has reviewed the NFA proposals and proposals for CAC, and the NMED has issued a Certificate for CAC for each SWMU/AOC. NMED issued Certificates for CAC with controls for three of the SWMUs.

On April 29, 2004, the Compliance Order on Consent (Consent Order) for Sandia National Laboratories became effective. Under Section III.V of the Consent Order, work that has been satisfactorily completed prior to the effective date of the Order, that fulfills the substantive requirements of the Order, and that has been approved by the NMED in writing, is deemed to comply with the Consent Order. In this case, the work completed at the five (5) SWMUs/AOCs satisfies these requirements, as evidenced by the Certificates for CAC issued by the NMED. A determination of CAC under the Consent Order is equivalent to a No Further Action Approval under the RCRA Permit.

DOE requests that the five (5) SWMU/AOCs, identified in the table below, be designated as no further action approved (Corrective Action Complete) in Table A-2 of the HSWA Module. When the new RCRA permit is issued for SNL/NM, two new tables (Corrective Action Complete with Controls and Corrective Action Complete without Controls) will be added to the corrective action provisions. SWMU 28-2 and AOC 1101 will be included on the table for SWMUs that are Corrective Action Complete without Controls, and SWMUs 8, 58 and 105 will be included on the table for SWMUs that are Corrective Action Complete with Controls.

This permit modification is needed to designate the five (5) SWMUs/AOCs as no further action approved (Corrective Action Complete) in Table A-2 of the HSWA Module.

**Identification of SWMUs Proposed for Designation as  
Corrective Action Complete (No Further Action Approved)**

<b>SWMU/AOC</b>	<b>NFA/CAC Date Submitted/Batch No.</b>
ER Site 8    Open Dump (Coyote Canyon Blast Area)	April 2005/--
ER Site 28-2    Mine Shaft	September 1995/3
ER Site 58    Coyote Canyon Blast Area	April 2005/--
ER Site 105    Mercury Spill (Building 6536)	September 1994/1 and July 2006*/--
AOC 1101    Building 885 Septic System (TA-I)	December 2003/ DSS Round 3

\*This site was reinvestigated after a new release was discovered.

AOC = Area of Concern.

DSS = Drain and Septic System.

ER = Environmental Restoration.

NFA = No Further Action.

SWMU = Solid Waste Management Unit.

TA = Technical Area.

-- = No batch number assigned, single CAC document submitted.

*Comment Period.* A 60-day public comment period has been initiated with the publication of this notice. Comments on this request for permit modification will be accepted through March 14, 2008. Comments should be directed to:

Mr. John Gould  
U.S. Department of Energy  
Sandia Site Office  
P.O. Box 5400  
Albuquerque, New Mexico 87115  
Ref: Sandia National Laboratories – Permit Modification March 2006

AND

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303  
Ref: Sandia National Laboratories – Permit Modification March 2006

*Public Meeting.* Each SWMU/AOC proposed for No Further Action will be presented in a poster format, and SNL/NM staff will be available to answer questions. The meeting will be conducted as

an open house, with posters available for individual review at any time throughout the three hour time period. The meeting will be held on January 29, 2008, from 3:30 to 6:30 pm at the Manzano Mesa Multigenerational Center, 501 Elizabeth NE, Albuquerque, NM 87123.

*Department of Energy Contact.* Questions may be directed to John Gould, (505) 845-6089.

*Sandia National Laboratories Contact.* Questions may be directed to Paul Freshour, (505) 845-3108.

*New Mexico Environment Department Contact.* Questions may be directed to John Kieling, (505) 428-2535.

*Public Inspection of Documents.* A copy of the request for permit modification and supporting documentation is available for public inspection at the Government Information Department, Zimmerman Library, University of New Mexico, Albuquerque, NM 87131-1466.

*Compliance History.* The permittee's compliance history during the life of the permit being modified is available from the NMED contact person.