

THIS IS NOT A PERMIT

**New York State Department of Environmental Conservation
Notice of Complete Application**

Date: 07/18/2008

Applicant: U S DEPT OF ENERGY
1000 INDEPENDENCE AVE SW
WASHINGTON, DC 20585

Facility: DOE KNOLLS ATOMIC POWER LAB-KNOLLS SITE
2401 RIVER RD
NISKAYUNA, NY 12301

Application ID: 4-4224-00024/00042

Permits(s) Applied for: 1 - Article 27 Title 9 Resource Conservation and Recovery Act

Project is located: in NISKAYUNA in SCHENECTADY COUNTY

Project Description:

The New York State Department of Environmental Conservation (Department) has reviewed the hazardous waste management permit application submitted by: US Department of Energy - Environmental Management, Separations Process Research Unit, 2425 River Road, Niskayuna, NY 12309-7100, and has made a tentative determination to issue a 6NYCRR Part 373 Corrective Action Only permit.

The US DOE Environmental Management (DOE-EM) Separations Process Research Unit (SPRU) facility is located on River Road in the Town of Niskayuna within the Knolls Atomic Power Laboratory (KAPL) Knolls facility, owned and operated by US DOE Naval Reactor Laboratory Field Office (DOE-NRLFO). This permit encompasses the corrective action for Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) associated with operation of the Separations Process Research Unit (SPRU) facility. This permit will transfer RCRA Corrective Action (CA) obligations for the SPRU-related SWMUs and AOC, currently permitted under the KAPL Knolls Part 373 Hazardous Waste Management Permit (Permit No. 4-4224-00024/00001; EPA I.D. No.: NYR000096859), to DOE-EM. This transfer will result in a shift of technical and administrative responsibility for the SPRU SWMUs/AOC and associated work activities within the Department of Energy. A subsequent permit modification is also being made to denote the CA obligations for these units within the current KAPL Knolls facility permit. Hazardous wastes generated during the corrective action process may be stored on the site for less than 90 days before they are shipped to a proper disposal facility. No hazardous waste is disposed of at the facility.

After review of the permit application, the Department has found it to be complete. Based upon the complete application, the Department has made a tentative determination to issue a 6NYCRR Part 373 CA Permit to the facility for CA activities and has prepared

a Draft Permit pursuant to the regulations found in 6NYCRR Part 373-2 as well as with all other applicable hazardous waste management laws and regulations.

The draft Part 373 permit requires the facility to institute corrective action to address any uncorrected releases at all solid waste management units. Based upon available information, the Department has made an assessment of the need for corrective action and has made a tentative determination that there have been releases of hazardous waste and/or hazardous waste constituents to the environment within the SPRU facility site and these releases have not moved off the encompassing Knolls permitted facility into any media.

Copies of the draft permit, the supporting permit, and the Fact Sheet are available for inspection at the Department of Environmental Conservation, Division of Solid and Hazardous Materials, 625 Broadway, Albany, New York 12233-7252, (contact person: Lynn M. Winterberger, P.E., (518) 402-8594), and at the Department's Region 4 Office, 1150 N. Westcott Road, Schenectady, New York 12306, (contact people: James Eldred, (518)357-2445 or Margaret Rogers (518) 357-2045). The draft permit and the Fact Sheet are also available for inspection at the Town of Niskayuna Public Library, 2400 Nott Street East, Niskayuna, NY 12309. A copy of the Fact Sheet, which summarizes the permitting process, the descriptions of the permit application and draft permit, may be obtained by contacting the aforementioned contact persons.

All comments will be considered and evaluated in making the final determination to issue the permit. Prior to the approval of permit, the Department will respond to any comments submitted by the public. If warranted, changes will be made in the draft version. A notice of the final decision will be sent to each interested citizen or organization that submitted written comments or have requested such notice.

In lieu of, or in addition to the submittal of written comments, any interested person(s) may request a public hearing as per 6NYCRR Part 621. A request for a public hearing must be made in writing, stating the nature of the proposed issues to be raised in the hearing.

This application was filed and processed pursuant to the Environmental Conservation Law ("ECL") Article 3 Title 3 (General Functions), Article 8 (State Environmental Quality Review), Article 27 Title 9 (Industrial Hazardous Waste Management), and Article 70 (Uniform Procedures); and pursuant to Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York ("6NYCRR") Part 617 (State Environmental Quality Review), Part 621 (Uniform Procedures) Parts 370-374 (Hazardous Waste Management Facilities) and Part 376 (Land Disposal Restrictions).

The applicable Federal Statutes are the Resource Conservation and Recovery Act ("RCRA") and the Hazardous and Solid Waste Amendments of 1984 ("HSWA"), 42 U.S.C. Section 6901 et. seq.; the applicable Federal regulations are contained in 40 CFR Parts 260 through 264, 266, 268, 270 and 124.

Availability of Application Documents:

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person.

To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

State Environmental Quality Review (SEQR) Determination

Project is not subject to SEQR because it is a Type II action.

SEQR Lead Agency None Designated

State Historic Preservation Act (SHPA) Determination

The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.

DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)

It has been determined that the proposed action is not subject to CP-29.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 09/08/2008 or 47 days after the publication date of this notice, whichever is later.

Contact Person

JAMES J ELDRED
NYSDEC
1130 NORTH WESTCOTT RD
SCHENECTADY, NY 12306-
(518) 357-2069

CC List for Complete Notice

Jessica LaClair, DSHM, Albany
Margaret Rogers, DSHM, Region 4
Niskayuna Public Library
James Reidy, USEPA, New York