

 ENTERED

*Loretto Community  
Sisters and Comembers  
NM Office  
113 Camino Santiago  
Santa Fe, NM 87501  
505 983-1251*

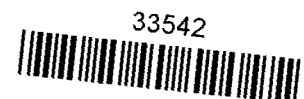
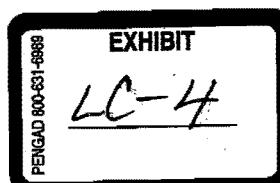
**RECEIPT**

I, Sally Worthington  
received 58 individually signed letters providing public comments about the  
February 2, 2010 revised draft New Mexico Environment Department Hazardous  
Waste Permit for Los Alamos National Laboratory, collected by the Loretto  
Community.

Date: May 6, 2010.

Signature: Sally Worthington

Representing: New Mexico Environment Department



Date: \_\_\_\_\_

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the **DOE Inspector General**, the **Government Accountability Office** and the **Defense Nuclear Facility Safety Board**. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

**6. Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

**7. Additional Comments.**

Sincerely,

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Date: 5/5/10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. **Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical **Information Repository**.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical **Information Repository** in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. **Additional Comments.**

Sincerely,

Name: Kathryn C. Sherlock  
Address: 1004 Camino Orabile, Santa Fe 87502  
Email: ~~Sherlock~~ Kc.sherlock43@yahoo.com

Date: 7. 8. 10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. **Additional Comments.** *Dear Mr. Keeling, I have lived here for 23 years. Actually I became an American citizen to be able to participate more in this issue - I support the NMED denial of LANL's permit applications - I feel that NMED has not been strong enough in requiring DOE/LANL to establish both a physical Information Repository in the Espanola Valley as well as a virtual (electronic) version before the permit is finalized. In all due respect, I feel you have let LANL get away with murder. Please think of our health and our future.*

Sincerely,

Name:

Dominique Mazaud

Address:

1352 Bishops Lodge Rd Santa Fe, NH 07506

Email:

Date: April 27, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. **I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. **Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

3. **DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**



4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

*Please help clean up NM!*

Sincerely Michael J. Shawver

Name: Michael J. Shawver

Address: 619 Copper Ave NW, Albuquerque, NM 87102

Email: immconydsj@gmail.com

Date: April 27, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

Sincerely,

Name: Ed + Barbara Monjarás

Address: 6324 Christy Ave NE, Albuquerque NM 87109

Email: emonjaras2@yahoo.com

Date: April 26, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the **DOE Inspector General**, the **Government Accountability Office** and the **Defense Nuclear Facility Safety Board**. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

A repository is essential for citizen participation. You can demand complete disclosure & transparency.

Sincerely,

Name:

Address:

Email:

JoAnne Allen  
1199 Bobcat NE 87122  
joann.allen@comcast.net

Date: April 26, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

NMED cannot delay, then approve a weakened, ineffective regulations in a permit that does not adequately protect the public health and the environment.

Sincerely,

Name: Rosamund Evans

Address: 1417 Adams NE

Email: rosamund06@gmail.com

Date: April 27, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: johri.kieling@state.nm.us

Re: Lack of Groundwater Protection Requirements in Proposed Hazardous Waste Permit  
for Los Alamos National Laboratory

Dear Mr. Kieling:

I provide the following public comments about the lack of groundwater protection requirements in the proposed Hazardous Waste Permit for Los Alamos National Laboratory (LANL).

The Environmental Protection Agency (EPA) has designated the Española Basin as a sole source aquifer, meaning that the Española Basin is the sole drinking water source for the area between the Jemez and Sangre de Cristo Mountains, running from Tres Piedras, to the north, to almost Galisteo, to the south.

Since operations began in 1943, LANL has buried over 21 million cubic feet of radioactive, hazardous and toxic wastes in unlined pits, trenches and shafts dug into the volcanic tuff. The LANL groundwater monitoring network has been under development since 1998 and has yet to provide reliable and representative samples of groundwater from the regional aquifer.

I am particularly concerned about the lack of detection and compliance groundwater monitoring for the "regulated units," Areas G, H and L, at Technical Area 54 (TA-54). I quote the March 19, 2010 written testimony by James Bearzi, Bureau Chief of the NMED Hazardous Waste Bureau:

"... groundwater contamination has already been detected beneath the regulated units at TA-54 ... ." p. 62.

Groundwater beneath LANL discharges to the springs at the Rio Grande. Albuquerque residents are already drinking water from the Rio Grande and Santa Fe residents will begin next spring.

It is time to get back to basics. NMED must require LANL to install wells drilled only with air. These wells must be able to detect contamination and provide the necessary information in order to implement corrective action, or "cleanup," in an efficient and cost effective manner. Already too much taxpayer money has been wasted drilling defective wells, collecting and analyzing samples from defective wells and reporting data to the public that is unreliable.

Thank you for your careful consideration of my comments.

Sincerely,

*Jo Anne Allen*

Name:

Address:

*1199 Bobcat NE  
Albuquerque NM 87122*



Date: 4-26-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

OPEN BURNING SHOULD BE DENIED  
FINANCIAL ASSURANCE SHOULD BE MANDATORY  
RELEASE OF INFORMATION TO THE PUBLIC  
SHOULD BE TIMELY, ACCURATE AND  
ONGOING.

Sincerely,

Name: Henry Missenilk

Address: 24 MATISSE RD APT D ABQ 87123

Email: hymisser@yahoo.com

Date: April 26, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public.** NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews before the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

*I want to stress, again, the importance of DOE/LANL establishing both a physical information repository in The Española Valley as well as an electronic version before the permit is finalized; and that all pertinent documents regarding the type of waste and its treatment be included in this Depository and be available Sincerely, to all citizens.*

Name: Floy Barrett (Floy Barrett)

Address: 316 Washington N.E., Albuquerque, N.M. 87108

~~Email:~~ I would appreciate a written acknowledgement of these comments, made at the N.M. Environment Dept. hearings April 26, 2010 at CNM Lecture Hall S.B.100, Bldg. 717 University S.E.

Date: April 26, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

**6. Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

**7. Additional Comments.** I do not support the continuing production of plutonium pits - but as the DOE, DOD, and US policy supports this - why is the public NOT protected from the deadly waste products that are the direct result from this policy? The residents in this state have been, are and if it is not cleaned up and stopped, will in the future, be poisoned and health seriously damaged by the deadly pollutants in the water, air and earth.

Sincerely,

Name: Mesa Rodriguez

Address: 7224 Carson Trl NW Albuquerque NM 87120

Email: DA ROB 3 @ SWCP

Date: \_\_\_\_\_

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**


7. **Additional Comments.**

Sincerely,

Name:

Address:

Email:

  
Federico Reyde PhD  
520 Coathill AL 3587105  
freyde@comcast.net



Date: 4-26-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to, provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

Sincerely,

Name: RICHARD MOORE

Address: 803 LA VEGA SW ALBUQU. NM 87105

Email: RICHARDM@SNEET.ORG

Date: 4/25/10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. **Additional Comments.**

National Security above all else is clean water, clean live soil and clean water. Open burning of explosives etc should not be considered national security. Contaminants from open burning - flows to our aquifers.

Sincerely,

Name:

Marlene Perotte

Address:

1004 Major Ave NW ABQ, NM 87107

Email:

marlenej@swcp.com

Date: 4/25/10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. **Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical **Information Repository**.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical **Information Repository** in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

#### 7. Additional Comments.

I live downriver of Los Alamos + get 20% of my tap water from the Rio Grande. I am concerned about the communities who are downwind from LANL.

Sincerely,

Name:

Chelsea Collonge

Address:

1925 Five Points Rd SW Abq NM 87105

Email:

chelsea@lovarchy.org

Date: 4-24-2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

Sincerely,

Name:

Donna Rowe

Address:

10048 Menaul NE K-22 ABQ NM 87112

Email:

amr1987bud1981@yahoo.com



Date: 4-24-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. **Additional Comments.**

Sincerely,

Name:

Laurel Kinley

Address:

550 Minnesota Ave San Jose, CA 95125

Email:

Laurel.Kinley@wvm.edu

Date: 14-24-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. **Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

#### 7. Additional Comments.

The NMED is supposed to look out for the best interests of the citizens of N.M. Why do the citizens have to remain open to the standards that are being ignored - IE - wells that are inadequate seismic monitors which are too few and inappropriately calibrated inappropriate fire preparedness. Why are these issues which did not just occur yesterday still not remedied - ?

Sincerely,

Donna Kangeter  
Name: Donna Kangeter

Address: 205 Adams NE #3 A/BA 87108

Email: dkangeter@hotmail.com

Date: 4/23/10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

I will leave New Mexico, drop out of UNM if this bizarre high rate of pollution is allowed to continue

Sincerely, *Laura Minno Blows*

Name: Laura Minno Blows

Address: 1925 Five Points Rd SW Albuquerque NM 87105

Email: lminblow@unm.edu

Date: 4/26/10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

Sincerely,

Name: Veronica Cruz

Address: 2446 Palomas Dr NE Alb. NM 87100

Email: vecruba@yahoo.com



Date: 4-26-2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public.** NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

Sincerely,

Name: R Gomez

Address: Po Box 1846 Taos NM 87571

Email: rgomez@taospueblo.com

Date: 4-23-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle 1 million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities before the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version before the permit is finalized.**

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the **DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety**

**Board.** The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. Additional Comments.

*The Laetto Community considers each of these 6 issues to be very important.*

Sincerely,

Name: Penelope Mc Muller, SL

Address: 113 Cam. Santiago SF 87501

Email: pmul@cybermesa.com

Date: 22.04.2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. **I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. **Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

3. **DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. **Additional Comments.**

Sincerely,

Name: Natalia Mironova

Address: 29-12 Kaslinskaya, 454084 Chelyabinsk, Russia

Email: nmirova@gmail.com

Date: 12.07.2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Re: Lack of Groundwater Protection Requirements in Proposed Hazardous Waste Permit  
for Los Alamos National Laboratory

Dear Mr. Kieling:

I provide the following public comments about the lack of groundwater protection requirements in the proposed Hazardous Waste Permit for Los Alamos National Laboratory (LANL).

The Environmental Protection Agency (EPA) has designated the Española Basin as a sole source aquifer, meaning that the Española Basin is the sole drinking water source for the area between the Jemez and Sangre de Cristo Mountains, running from Tres Piedras, to the north, to almost Galisteo, to the south.

Since operations began in 1943, LANL has buried over 21 million cubic feet of radioactive, hazardous and toxic wastes in unlined pits, trenches and shafts dug into the volcanic tuff. The LANL groundwater monitoring network has been under development since 1998 and has yet to provide reliable and representative samples of groundwater from the regional aquifer.

I am particularly concerned about the lack of detection and compliance groundwater monitoring for the "regulated units," Areas G, H and L, at Technical Area 54 (TA-54). I quote the March 19, 2010 written testimony by James Bearzi, Bureau Chief of the NMED Hazardous Waste Bureau:

"... groundwater contamination has already been detected beneath the regulated units at TA-54 ... ." p. 62.

Groundwater beneath LANL discharges to the springs at the Rio Grande. Albuquerque residents are already drinking water from the Rio Grande and Santa Fe residents will begin next spring.

It is time to get back to basics. NMED must require LANL to install wells drilled only with air. These wells must be able to detect contamination and provide the necessary information in order to implement corrective action, or "cleanup," in an efficient and cost effective manner. Already too much taxpayer money has been wasted drilling defective wells, collecting and analyzing samples from defective wells and reporting data to the public that is unreliable.

Thank you for your careful consideration of my comments.

Sincerely,

Name: *Natalia Mironova*  
Address: *29-12, Kaspiuskaya, Chelyabinsk*  
*454084, Russia*  
*nmironova@yandex.com*

Date: 4-16-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. **I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. **Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

3. **DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**



4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. **Additional Comments.**

Sincerely,

Name:

Barbara H. Evans

Address:

244 Casados St. #6

Email:

Bevans505@yahoo.com

Date: 4/15/10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. **Additional Comments.**

Sincerely,

Name: Kenneth E Mayers

Address: 74 Monte Alto Rd, Santa Fe NM 87508

Email: kenmayers@vfp-santafe.org

Date: 4-14-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than five years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue open burning activities, there are alternatives, including confined burn facilities.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**2. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings, providing documents, and informing the public of opportunities for input into decision-making.

**Further, NMED and DOE/LANL must provide enhanced participation requirements for early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. EPA supports the physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

**4. "Alternative Requirements" Do Not Protect Groundwater. It's time to get back to a basic groundwater monitoring and response program at LANL.** Many reports over the past five years have described the overall failure of DOE/LANL to protect our regional aquifer from LANL pollutants. James Bearzi, Chief of the NMED Hazardous Waste Bureau, stated in testimony that, "groundwater contamination has already been detected beneath the regulated units [Areas G, H, and L] at TA-54."

The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in groundwater protection practices and lack of compliance with the regulations. The findings and recommendations have been ignored by DOE/LANL and NMED.

**It's time to return to the basics. NMED and DOE/LANL must establish a groundwater monitoring and response program under 40 CFR 264, Sections 91 through 100.**

**5. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

**6. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.**

**7. Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

#### **7. Additional Comments.**

Sincerely,

Name: Suzanne Brooke Goddard

Address: HC 74 Box 76A, 6 Pecos, NM 87552

Email: levendoj@hotmail.com -

Date: April 13<sup>th</sup>, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than five years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue open burning activities, there are alternatives, including confined burn facilities.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**2. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings, providing documents, and informing the public of opportunities for input into decision-making.

**Further, NMED and DOE/LANL must provide enhanced participation requirements for early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

**4. "Alternative Requirements" Do Not Protect Groundwater. It's time to get back to a basic groundwater monitoring and response program at LANL.** Many reports over the past five years have described the overall failure of DOE/LANL to protect our regional aquifer from LANL pollutants. James Bearzi, Chief of the NMED Hazardous Waste Bureau, stated in testimony that, "groundwater contamination has already been detected beneath the regulated units [Areas G, H, and L] at TA-54."

The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in groundwater protection practices and lack of compliance with the regulations. The findings and recommendations have been ignored by DOE/LANL and NMED.

It's time to return to the basics. NMED and DOE/LANL must establish a groundwater monitoring and response program under 40 CFR 264, Sections 91 through 100.

5. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.

6. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.

7. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

Sincerely,

Name: JASON AHMADI  
Address: 1925 Five Points Road, ABQ, NM  
Email: jason.ahmadi@gmail.com

DISARM Now!  
STOP CMRR!  
STOP OPEN BURN!  
OPEN DET.

Date: 4-9-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than five years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue open burning activities, there are alternatives, including confined burn facilities.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**2. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings, providing documents, and informing the public of opportunities for input into decision-making.

**Further, NMED and DOE/LANL must provide enhanced participation requirements for early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

**4. "Alternative Requirements" Do Not Protect Groundwater.** It's time to get back to a **basic groundwater monitoring and response program at LANL.** Many reports over the past five years have described the overall failure of DOE/LANL to protect our regional aquifer from LANL pollutants. James Bearzi, Chief of the NMED Hazardous Waste Bureau, stated in testimony that, "groundwater contamination has already been detected beneath the regulated units [Areas G, H, and L] at TA-54."



The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in groundwater protection practices and lack of compliance with the regulations. The findings and recommendations have been ignored by DOE/LANL and NMED.

**It's time to return to the basics. NMED and DOE/LANL must establish a groundwater monitoring and response program under 40 CFR 264, Sections 91 through 100.**

**5. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

**6. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.**

**7. Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

**7. Additional Comments.**

Sincerely,

Name:

Aliee Ladas

Ellen Kemper

Address:

2300 W Alameda C2

2300 W. Alameda #B-1

Email:

Aladas@aol.com

Santa Fe, NM 87507

Bob Willcutt >  
2300 W. Alameda B6  
Santa Fe, NM

Date: Apr 8, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the **DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board.** The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

Sincerely,

Name: Maevion Seymour DZ

Address: 2300 W Alameda St 87507

Email: seymoor.maevion@gonac.l.com

Date: 4-7-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as providing documents and opportunities for public input into the decision-making processes, and holding public meetings.

DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

Further, **NMED and DOE/LANL must provide enhanced participation requirements for early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**2. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** This is an important step towards looking at alternatives to open burning.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**3. "Alternative Requirements" Do Not Protect Groundwater.** Many reports over the past five years have described the overall failure of the DOE/LANL to protect the precious regional aquifer from LANL pollutants. The EPA, the **DOE Inspector General** and the **National Academy of Sciences (NAS)** have each written detailed reports that describe the major problems in the DOE/LANL groundwater protection practices and their lack of compliance with the regulations.



Date: April 8, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

I am concerned that NMED has not maintained sufficient independence from the issues at LANL that you are supposed to regulate, seeming too often to accept delays, inadequacies, or incomplete responsiveness more generously than is appropriate. LANL needs robust monitoring.

Sincerely,  
Name: Esau Miller

Address: 2848 Vereda de Tulefo

Email: Santa Fe, NM 87507

Date: 1/7/10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**



4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

Sincerely,

Name:

Martoni Young

Address:

2300 W. Alameda D-6 Santa Fe, NM

Email:

martoniyoung@earthlink.net

87507

Date: April 5, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle \_ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the **DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety**

**Board.** The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection,

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. Additional Comments.

Sincerely,

Name:

Natasha Torres

Address:

126 Camino Santiago S.F. N.M. 87504

Email:

⊖

Date: April 7, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than five years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue open burning activities, there are alternatives, including confined burn facilities.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**2. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings, providing documents, and informing the public of opportunities for input into decision-making.

**Further, NMED and DOE/LANL must provide enhanced participation requirements for early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. EPA supports the physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

**4. "Alternative Requirements" Do Not Protect Groundwater. It's time to get back to a basic groundwater monitoring and response program at LANL.** Many reports over the past five years have described the overall failure of DOE/LANL to protect our regional aquifer from LANL pollutants. James Bearzi, Chief of the NMED Hazardous Waste Bureau, stated in testimony that, "groundwater contamination has already been detected beneath the regulated units [Areas G, H, and L] at TA-54."

The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in groundwater protection practices and lack of compliance with the regulations. The findings and recommendations have been ignored by DOE/LANL and NMED.

**It's time to return to the basics. NMED and DOE/LANL must establish a groundwater monitoring and response program under 40 CFR 264, Sections 91 through 100.**

**5. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

**6. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.**

**7. Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

**7. Additional Comments.**

Sincerely,

Name:

Address:

Email:

*Debra Bilz*  
*207 Donbasca 87501*  
*debraellenbilz@gmail.com*

Date: April 7, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as providing documents and opportunities for public input into the decision-making processes, and holding public meetings.

DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

Further, **NMED and DOE/LANL must provide enhanced participation requirements for early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**2. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** This is an important step towards looking at alternatives to open burning.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**3. "Alternative Requirements" Do Not Protect Groundwater.** Many reports over the past five years have described the overall failure of the DOE/LANL to protect the precious regional aquifer from LANL pollutants. The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in the DOE/LANL groundwater protection practices and their lack of compliance with the regulations.

It's time to return to the basics. NMED and DOE/LANL must return to the requirements to establish a groundwater monitoring and response program under the regulations at 40 CFR 264, Sections 91 through 100.

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.

**6. Financial Assurance Requirements.** DOE/LANL do not want to provide the financial documents that say they will have funding available in order to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

**7. Additional Comments.**

Sincerely,

Name: K.K. Ophelm

Address: P.O. Box 28511 Santa Fe, New Mexico 87592

Email: earthdragonkk@ymail.com

Date: 4-5-2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as providing documents and opportunities for public input into the decision-making processes, and holding public meetings.

DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

Further, NMED and DOE/LANL must provide enhanced participation requirements for **early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**2. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** This is an important step towards looking at alternatives to open burning.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**3. "Alternative Requirements" Do Not Protect Groundwater.** Many reports over the past five years have described the overall failure of the DOE/LANL to protect the precious regional aquifer from LANL pollutants. The EPA, the **DOE Inspector General** and the **National Academy of Sciences (NAS)** have each written detailed reports that describe the major problems in the DOE/LANL groundwater protection practices and their lack of compliance with the regulations.



It's time to return to the basics. NMED and DOE/LANL must return to the requirements to establish a groundwater monitoring and response program under the regulations at 40 CFR 264, Sections 91 through 100.

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.

**6. Financial Assurance Requirements.** DOE/LANL do not want to provide the financial documents that say they will have funding available in order to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

**7. Additional Comments.**

Sincerely,

Name: Brock Janson  
Address: P.O. Box 28511 Santa Fe NM 87592  
Email: cyberen-brayoshi@yahoo.com

Date: 4/7/10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as providing documents and opportunities for public input into the decision-making processes, and holding public meetings.

DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

Further, NMED and DOE/LANL must provide enhanced participation requirements for **early, often, continuous and meaningful contact with the public** about both the **Compliance Order on Consent and the Final LANL Permit.**

**2. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** This is an important step towards looking at alternatives to open burning.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**3. "Alternative Requirements" Do Not Protect Groundwater.** Many reports over the past five years have described the overall failure of the DOE/LANL to protect the precious regional aquifer from LANL pollutants. The EPA, the DOE Inspector General and the **National Academy of Sciences (NAS)** have each written detailed reports that describe the major problems in the DOE/LANL groundwater protection practices and their lack of compliance with the regulations.

It's time to return to the basics. NMED and DOE/LANL must return to the requirements to establish a groundwater monitoring and response program under the regulations at 40 CFR 264, Sections 91 through 100.

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.

**6. Financial Assurance Requirements.** DOE/LANL do not want to provide the financial documents that say they will have funding available in order to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

**7. Additional Comments.**

Sincerely,

Name: Penny Truitt

Address: 4 Cerroado Rd, SF NM 87508

Email: \_\_\_\_\_

Date: April 6 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than five years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue open burning activities, there are alternatives, including confined burn facilities.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**2. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings, providing documents, and informing the public of opportunities for input into decision-making.

Further, NMED and DOE/LANL must provide enhanced participation requirements for **early, often, continuous and meaningful contact with the public** about both the Compliance Order on Consent and the Final LANL Permit.

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. EPA supports the **physical Information Repository**.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a **physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository**.

**4. "Alternative Requirements" Do Not Protect Groundwater.** It's time to get back to a **basic groundwater monitoring and response program at LANL**. Many reports over the past five years have described the overall failure of DOE/LANL to protect our regional aquifer from LANL pollutants. James Bearzi, Chief of the NMED Hazardous Waste Bureau, stated in testimony that, "groundwater contamination has already been detected beneath the regulated units [Areas G, H, and L] at TA-54."

The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in groundwater protection practices and lack of compliance with the regulations. The findings and recommendations have been ignored by DOE/LANL and NMED.

**It's time to return to the basics. NMED and DOE/LANL must establish a groundwater monitoring and response program under 40 CFR 264, Sections 91 through 100.**

**5. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

**6. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.**

**7. Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

#### **7. Additional Comments.**

Sincerely,

Name:

Anna Hansen

Address:

2008 KIVA Rd, SF, NM 87505

Email:

ahansen@presortute.com

Date: April 4 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle 4 million pounds of hazardous waste each year during the 10-year permit.

1. **I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities before the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

2. **Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

3. DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version before the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the **DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety**

**Board.** The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection,

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

Sincerely,

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

*Joan alk*

*115 Camino Sanbogo SE NM 87501*

Date: March 27, 10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as providing documents and opportunities for public input into the decision-making processes, and holding public meetings.

DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

Further, NMED and DOE/LANL must provide enhanced participation requirements for **early, often, continuous and meaningful contact with the public** about both the Compliance Order on Consent and the Final LANL Permit.

**2. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** This is an important step towards looking at alternatives to open burning.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**3. "Alternative Requirements" Do Not Protect Groundwater.** Many reports over the past five years have described the overall failure of the DOE/LANL to protect the precious regional aquifer from LANL pollutants. The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in the DOE/LANL groundwater protection practices and their lack of compliance with the regulations.



It's time to return to the basics. NMED and DOE/LANL must return to the requirements to establish a groundwater monitoring and response program under the regulations at 40 CFR 264, Sections 91 through 100.

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.**

**6. Financial Assurance Requirements.** DOE/LANL do not want to provide the financial documents that say they will have funding available in order to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

**7. Additional Comments.**

Sincerely, 

Name: Sarah Laeng-Gilliatt

Address: 2300 W. Alameda A3 Santa Fe, NM 87507

Email: sarahlg@comcast.net

Date: 3-27-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as providing documents and opportunities for public input into the decision-making processes, and holding public meetings.

DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. EPA supports the **physical Information Repository**.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED **must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

Further, NMED and DOE/LANL **must provide enhanced participation requirements for early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**2. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** This is an important step towards looking at alternatives to open burning.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**3. "Alternative Requirements" Do Not Protect Groundwater.** Many reports over the past five years have described the overall failure of the DOE/LANL to protect the precious regional aquifer from LANL pollutants. The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in the DOE/LANL groundwater protection practices and their lack of compliance with the regulations.

It's time to return to the basics. NMED and DOE/LANL must return to the requirements to establish a groundwater monitoring and response program under the regulations at 40 CFR 264, Sections 91 through 100.

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.**

**6. Financial Assurance Requirements.** DOE/LANL do not want to provide the financial documents that say they will have funding available in order to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

**7. Additional Comments.**

Sincerely,

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

*Aaron Pope*

*35106 Sanderson Ave. Albuq. NM, 87106*

Date:                     0                    

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than five years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue open burning activities, there are alternatives, including confined burn facilities.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**2. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings, providing documents, and informing the public of opportunities for input into decision-making.

**Further, NMED and DOE/LANL must provide enhanced participation requirements for early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

**4. "Alternative Requirements" Do Not Protect Groundwater.** It's time to get back to a **basic groundwater monitoring and response program at LANL.** Many reports over the past five years have described the overall failure of DOE/LANL to protect our regional aquifer from LANL pollutants. James Bearzi, Chief of the NMED Hazardous Waste Bureau, stated in testimony that, "groundwater contamination has already been detected beneath the regulated units [Areas G, H, and L] at TA-54."

The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in groundwater protection practices and lack of compliance with the regulations. The findings and recommendations have been ignored by DOE/LANL and NMED.

**It's time to return to the basics. NMED and DOE/LANL must establish a groundwater monitoring and response program under 40 CFR 264, Sections 91 through 100.**

**5. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

**6. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.**

**7. Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

#### 7. Additional Comments.

Sincerely,

Name:

(Eliane) Ine Kalcak Johnson

Address:

#1 Chavez Tr Santa Fe NM 87505

Email:

Date: April 6, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

Sincerely,

Name: Ann Anthony  
Address: 3466 Cerrillos Rd, M-1, Santa Fe, NM 87507  
Email: anrascaal@gmail.com

Date: April 14, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**



4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

Sincerely,

Name: Charlotte Cooley, NP  
Address: 10 Chrusco Rd. Santa Fe NM 87508  
Email: \_\_\_\_\_

Date: 5-3-10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor, do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

#### 7. Additional Comments.

*Our environment + health is more important than welfare for the scientists. National security means freedom from being poisoned.*

Sincerely,

Name: Penelope Mc Mullen, SL

Address: 113 Cam. Santiago, SF 87501

Email: pmal@cybermesa.com

Date: April 7, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as providing documents and opportunities for public input into the decision-making processes, and holding public meetings.

DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

Further, NMED and DOE/LANL must provide enhanced participation requirements for **early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**2. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** This is an important step towards looking at alternatives to open burning.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**3. "Alternative Requirements" Do Not Protect Groundwater.** Many reports over the past five years have described the overall failure of the DOE/LANL to protect the precious regional aquifer from LANL pollutants. The EPA, the **DOE Inspector General** and the **National Academy of Sciences (NAS)** have each written detailed reports that describe the major problems in the DOE/LANL groundwater protection practices and their lack of compliance with the regulations.

It's time to return to the basics. NMED and DOE/LANL must return to the requirements to establish a groundwater monitoring and response program under the regulations at 40 CFR 264, Sections 91 through 100.

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.**

**6. Financial Assurance Requirements.** DOE/LANL do not want to provide the financial documents that say they will have funding available in order to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

**7. Additional Comments.**

Sincerely,

Name: Linda Hibba

Address: 903 Don Miguel Place

Email: Santa Fe, New Mexico 87505

Date: April 7, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. Public Participation Must Be Early, Often, Meaningful and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful and continuous contact with the public** about the cleanup of the LANL dump sites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as providing documents and opportunities for public input into the decision-making processes, and holding public meetings.

DOE/LANL is required to establish an **Information Repository** where permit documents are readily available to the public. **EPA supports the physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) Information Repository.**

Further, NMED and DOE/LANL must provide enhanced participation requirements for **early, often, continuous and meaningful contact with the public about both the Compliance Order on Consent and the Final LANL Permit.**

**2. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** This is an important step towards looking at alternatives to open burning.

**I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open burning.**

**3. "Alternative Requirements" Do Not Protect Groundwater.** Many reports over the past five years have described the overall failure of the DOE/LANL to protect the precious regional aquifer from LANL pollutants. The EPA, the DOE Inspector General and the National Academy of Sciences (NAS) have each written detailed reports that describe the major problems in the DOE/LANL groundwater protection practices and their lack of compliance with the regulations.

It's time to return to the basics. NMED and DOE/LANL must return to the requirements to establish a groundwater monitoring and response program under the regulations at 40 CFR 264, Sections 91 through 100.

**4. Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.**

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It also identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of only seismometers at three locations that are not kept in calibration.

**I object to NMED allowing DOE/LANL to continue to manage hazardous waste without the necessary field studies of the seismic hazard and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from these seismic reviews before the permit is finalized for the hazardous waste management units.**

**6. Financial Assurance Requirements.** DOE/LANL do not want to provide the financial documents that say they will have funding available in order to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

**7. Additional Comments.**

Sincerely,

Name: Elliott Skinner

Address: 903 Don Miguel Pl., Santa Fe, NM 87505

Email: lhibbs@cybermesa.com

Date: April 27, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.



4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

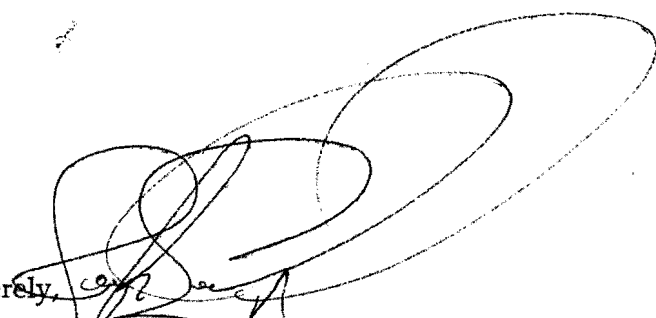
6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. **Additional Comments.**

Sincerely,

Name:

  
Joseph Sandoval

Address:

4901 Bond Ct NW, Albuquerque, NM 87120

Email:

nmjoe@yahoo.com

Date: 4-27-2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. **Additional Comments.**

Sincerely,

Name:

Rose Ronquillo

Address:

1111 Jefferson NE Alb, NM 87110

Email:

\_\_\_\_\_

Date: 4-27-2010

John E. Kielling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kielling@state.nm.us

Dear Mr. Kielling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle one-quarter (1/4) million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations. We need a network of seismometers at appropriate locations that will collect accurate real-time -data and serve as an early warning system.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

Sincerely,

Name:

Alfonse Hernandez

Address:

900 Columbia Ave, NM

Email:

\_\_\_\_\_

Date: April 14, 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning.** The permit must include limits as to the type and amount of waste and the frequency of the burns.

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public.** NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

**As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a**



physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.

4. **Emergency Management, Planning, Preparedness and Response.** Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

5. **Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

6. **Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

7. **Additional Comments.**

I applaud the NMED's efforts to regulate LANL's irresponsible polluting of NM down wind and down water residents. No open pit hayardows waste burning! No national security excuse can justify poisoning America's own citizens.

Sincerely,

Name:

Marilyn Hoff Marilyn Hoff

Address:

PO Box 295, El Prado, NM 87529

Email:

marigayl@netzero.com



Date: 4 8. 10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303

E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle 1/4 million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities before the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version before the permit is finalized.

4. Emergency Management, Planning, Preparedness and Response. Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection before the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.

5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau. A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews before the permit is finalized.

6. Financial Assurance Requirements. DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

IF DOE/LANL CANNOT BE TRUSTED TO ABIDE BY THEIR  
BUROCRATIC OBLIGATIONS HOW CAN WE TRUST THEM TO  
PHYSICALLY MANAGE PROPERLY THEIR WASTE, WASTE HANDLING  
AND WASTE REMOVAL & MONITORING OBLIGATIONS,  
Sincerely,

Name:



RICHARD L. MILLER, PhD

Address:

1352 BISHOPS LODGE RD, SANTA FE, NM, 87506

Email:

DICK\_MILLER@COMCAST.NET

Date: April 7th 2010

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303

E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle 1/4 million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities before the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version before the permit is finalized.

4. Emergency Management, Planning, Preparedness and Response. Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection before the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.

5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau. A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews before the permit is finalized.

6. Financial Assurance Requirements. DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments. I read recently about a female soldier from Iraq who has multiple symptoms which are attributed to exposure to toxins from open air burning at the military base

Sincerely,

This is a very serious & unsafe practice.

which poses public health hazards.

Name:

LORENN RUSSELL-SHALEV

Address:

PO Box ~~8631~~ 8631, SANTA FE, NM 87504

Email:

humandesigninteractive@gmail.com

Date: 4/7/10

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303

E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle 1/4 million pounds of hazardous waste each year during the 10-year permit.

1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste. LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

I support NMED requiring DOE/LANL to install confined burn facilities before the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.

2. Public Participation Must Be Early, Often, Meaningful, and Continuous. The Environmental Protection Agency (EPA) issued enhanced public participation requirements for early, often, meaningful, and continuous contact with the public about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.

3. DOE/LANL is required to establish an Information Repository where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. EPA supports a physical Information Repository.

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version before the permit is finalized.

4. Emergency Management, Planning, Preparedness and Response. Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. The reports described serious problems with LANL fire protection before the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation before the permit is finalized.

5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau. A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews before the permit is finalized.

6. Financial Assurance Requirements. DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.



I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.

7. Additional Comments.

If the smoke that is freely released into our air (New Mexico's) maybe the wise leaders who think that this air is clean come and breathe it ~~for when~~ this smoke will Sincerely, the fires burn and see what happens. Please protect us, keep up safe. Please build a barn inside

Name:

Jeffrey Birnbau

Address:

44 Sibley Rd SF NJ 87508

Email:

jeffb@sopris.net