

**Kieling, John, NMENV**

**From:** Dennis L. Hjeresen [dlh@lanl.gov]  
**Sent:** Wednesday, March 24, 2010 2:44 PM  
**To:** Kieling, John, NMENV  
**Subject:** Private Citizen Comments on RCRA Permit

Dear Mr. Kieling

I am submitting comments to the Hearing Administrator for the Los Alamos National Laboratory (LANL) Hazardous Waste Permit Hearing beginning April 5th.

I am writing as a private citizen, a resident of Los Alamos, a career environmental scientist and a nearly 25-year employee of Los Alamos National Laboratory (LANL). First, let me say that, in my experience, the vast majority of employees at Los Alamos National Laboratory share a commitment to protect human health and the environment from our operations. The nature of the LANL national security and science missions necessitates work with virtually every substance in the periodic table, including some of the most persistent toxic substances known to man. It is critical that the Laboratory and the New Mexico Environment Department implement a hazardous waste operating permit for operations that simultaneously enables important national security and science missions while achieving protection of human health and the environment.

In my opinion, the current draft permit is overly restrictive of Laboratory operations while adding no new value in protecting the environment. Further, the increasingly restrictive and prescriptive conditions of the draft permit fail to recognize the progress that the Laboratory has made over the past decade in improving environmental performance. NMED and I have very different views of the Laboratory.

I see hundreds of Lab employees working very hard to clean up the legacy of World War II and Cold War operations that did contaminate the environment. However, this legacy contamination does not accurately reflect the current commitment of the Laboratory to operate safely and compliantly.

I also see an institutional commitment to continuously improve environmental performance. In 2005, the Laboratory committed to developing and implementing an ISO 14001-compliant Environmental Management System (EMS). Rather than implementing an EMS on paper, the development team reached out to workers across the institution and asked them to develop help a system that would work at the local level and create honest, measurable improvements. The LANL EMS was certified by an independent third-party registrar in April of 2006 and has been subject to over 80 days of independent assessment since then. Local projects have completed over a thousand environmental improvement activities and all 15 LANL Directorates have just finished developing a new set of Environmental Action Plans for 2010-2011. Senior management has set institutional objectives and targets for improved compliance, excess materials and equipment disposition, energy and fuel conservation, eliminating liquid industrial waste outfalls and implementing strong preventive measures for operations.

I see tremendous returns from these efforts. Waste volumes are a fraction of what was generated when our current operating permit was last issued. LANL has closed over 125 NPDES outfalls and is working on the final 15. NMED hazardous waste management inspections indicate vastly improved RCRA performance. EPA inspections of construction stormwater and air quality programs indicate strong protective systems are in place and are being continuously improved.

At LANL, I see the strongest commitment to pollution prevention of any of the DOE National Laboratories. Over the past five years, LANL has received more DOE and NNSA pollution prevention awards than any other facility. LANL management has continued a commitment to pollution prevention projects with funding that dwarfs that of any other national Lab. Taxes on waste volumes both discourage waste generation and fund projects that improve upstream safety and compliance by eliminating waste sources. Such projects are proposed and executed by the scientists and workers that actually own the work processes.

Nowhere in the Lab have I seen a greater commitment to continuously improving environmental protection than in our high explosives (HE) programs. Deployed environmental staff have worked closely with scientists, programs and waste managers to steadily reduce waste volumes, improve upsteam processes and effectively treat highly sensitive HE residues. Thus, I view with great irony the intent to deny the open burn portion of LANL's permit application. The willingness of the NMED to sacrifice a mission activity critical to the safety of U.S. troops at war and civilians at home in return for no appreciable human health or environmental benefit cannot be rationally



defended. While I fully appreciate the opposition of anti-nuclear activist groups to Los Alamos national security missions, such political opposition should not be the deciding factor in setting safe operating conditions for these operations.

My over-riding point is that LANL needs an operating permit that is based on sound science, empirical evidence and fair oversight. I urge the Hearing Administrator to assure that this is the case.

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*"When the going gets weird, the weird turn pro."*  
Hunter S. Thompson

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