

Kieling, John, NMENV

From: Randy J [wannatrikona@q.com]
Sent: Thursday, April 01, 2010 5:04 PM
To: Kieling, John, NMENV
Subject: NMED Hazardous Waste Permit Hearing, TA-16 Open Burn permit

Mr. Kieling,

I am submitting comments to the Hearing Administrator for the Los Alamos National Laboratory (LANL) Hazardous Waste Permit Hearing, specifically the NMED Hazardous Waste Bureaus intent to deny a hazardous waste facility permit for the open burning units at Technical Area (TA) 16.

I am writing as a private citizen, a twenty-three year resident of Los Alamos, who is an environmentalist and an environmental scientist. I am in support of a hazardous waste facility permit for the open burning units at TA-16.

While finalizing LANLs hazardous waste facility permit is a positive measure, it is questionable why after allowing the TA-16 open burn (OB) units to operate under interim status since 1980, and following LANLs implementation of numerous Best Management Practices, waste reduction and minimization measures and engineering improvements to the TA-16 OB unit operation, that the NMED-HWB would, at this late date, determine that the TA-16 OB units pose an ecological risk and thereby deny the hazardous waste facility permit application. Perhaps NMEDs concerns with this operation were appeased by the monitoring results provided to them and the public in the annual Environmental Surveillance Reports, annual Toxic Chemical Release Inventory Reports, annual Emission Inventory reports and the Title V Semi-Annual Monitoring reports required by NMED Air Quality Bureau or the waste treatment data provide in the Biennial Hazardous Waste Reports.

I am in agreement with NMED HWBs determination that based upon the risk assessment conducted by LANL, the TA-16 OB units pose no human health risk, but disagree with NMED-HWBs determination that the operation poses an ecological risk. NMED-HWB has based their intent to deny the permit upon their interpretation of an ecological risk assessment performed by LANL, according to NMED-HWB the risk assessment identified a slightly elevated hazard (1.9) for the deer mouse but acceptable hazard for the Montane shrew. Yet LANLs ecological risk assessment concluded; The ecological risk screening assessment found that no COPECs are retained for this area. Therefore, no potential unacceptable risks to human and ecological receptors are present. LANL prepared a subsequent risk assessment which further concluded, The ecological risk screening assessment found that no COPECs are retained for this area. The HIs calculated based on literature derived ESLs are conservative and overestimate the potential risk to receptors. Field observations and published studies indicate that the slightly elevated HIs do not reflect actual adverse ecological impacts to receptors at the site. Therefore, no potential unacceptable risks to human and ecological receptors are present. Perhaps NMED-HWB should have followed the recommendation the EPA provided in their comments on the permit: Section 6, Treatment by Open Burning: EPA recommends a condition be placed in the permit stating that if the baseline soil sampling report for the open burning units indicates grossly contaminated soils, then operation of the units may be suspended or modified as required. There was no determination made whether the slightly elevated soil detections were due to historic operations

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or present TA-16 OB operations. LANL performed extensive air modeling of the TA-16 OB operations using actual operating scenarios with an EPA approved application and. LANLs air modeling report found no emission above screening limits, the report provided and presented to NMED. NMED-HWBs intent to deny the permit was made prematurely and without full consideration of the scientific data available.

The small area that could potentially be adversely impacted by the TA-16 OB units needs to be put in perspective in comparison to air emissions for other local sources such as the Four Corners Power Plant, one of the largest coal-fired generating stations in the United States, and the adverse environmental impacts caused by uncontrolled releases from various small shops and operations along the Rio Grande Corridor. From an environmental compliance stand point, LANL is the most heavily scrutinized and monitored facility in the state.

It should also be noted that empirical evidence provides minimal evidence of adverse ecological impacts by the TA-16 OB units, the canyons adjacent to the treatment units provide habitat to a healthy and growing population of Mexican Spotted Owls and other raptors that prey on deer mice.

LANLs high explosive mission has evolved as the state of the world has changed, the importance of LANLs ability to rapidly development solutions to explosive threats has significantly increased in the past decade, the necessity of high explosive research is not going away. The research performed by LANLs high explosive researchers that depend upon the TA-16 OB units has reduced adverse environmental impacts of high explosives, improved high explosive safety and significantly decreased the publics and military personnel's risk due to improvised explosive devices. Ironically, individuals opposing the hazardous waste permit for the TA-16 OB units are benefactors of LANLs research every time they or a loved one board an airplane, possibly enter a subway, or attend a large heavily populated event.

The TA-16 OB units provide a safe and environmentally responsible method for the treatment of waste high explosive material in a controlled, sparsely populated location. Transporting waste high explosives to another location for treatment only relocates the perceived environmental risk while significantly increasing the risk to human populations due to increased handling and transportation through populated areas.

Respectfully submitted,

Randy Johnson

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