



**From:** Jack Ellis [mailto:jellis62@comcast.net]  
**Sent:** Tuesday, April 13, 2010 7:04 PM  
**To:** Allen, Pam, NMENV  
**Subject:** HAZARDOUS WASTE FACILITY PERMIT FOR THE OPEN BURNING OF HAZARDOUS WASTE AT TA-16 LANL  
**Importance:** High

Ms. Allen,

Your Fact Sheet, dated February 2, 2010, Intent to Deny a Hazardous Waste Facility Permit for the Open Burning Of Hazardous Waste At TA16 Under the New Mexico Hazardous Waste Act Los Alamos National Laboratory (LANL), Los Alamos County, New Mexico, states:

"The July 6, 2009 Revised Draft Permit included a prohibition on treating wastes capable of generating dioxins and furans. This prohibition was based upon the Department's air modeling, subsequent soil sampling conducted by the Applicants, and an associated screening level risk assessment that identified furan concentrations in excess of Ecological Screening Limits (ESLs)."

You concluded:

"Because the Applicants have not provided sufficient demonstration that continued operation of the burning units would not result in adverse risk to the environment, the extensive public opposition to open burning, and the Department's belief that there may be preferable and viable alternatives to burning the HE waste, the Department intends to deny a permit to the Applicants to open burn wastes at LANL's TA-16."

"The results of the ecological risk assessment indicated elevated risk (low) to the deer mouse based on the use of NOAEL-based TRVs, but as a more refined analysis using a LOAEL was not provided by the Applicants, the assessment is considered incomplete, resulting in uncertainty."

"Improvised Explosive Devices (IEDs) in Iraq and Afghanistan: Effects and Countermeasures" (Order Code RS22330, Updated August 28, 2007), prepared for the Congressional Research Service, states:

"Improvised explosive devices, also known as IEDs, roadside bombs, and suicide car bombs, have caused over 60% of all American combat casualties in Iraq and 50% of combat casualties in Afghanistan, both killed and wounded."

This is summarized below.

FATALITIES AS OF: April 9, 2010		
Theater	Killed in Action	Loss by IED
OPERATION IRAQI FREEDOM	3,480	2,088
OPERATION ENDURING	752	376



FREEDOM		
TOTAL: War on Terrorism	4,232	2,464

There have been a total of 1.8 M troops deployed for Operations Enduring Freedom or Iraqi Freedom (OEF/OIF). So the fatality rate for IEDs is  $1.37 \times 10^{-3}$ .

When this is compared to a deer mouse fatality rate of  $10^{-5}$  from exposure to dioxin/furans and we assume there are 500,000 Deer Mice in the surrounding area ( a grossly exaggerated estimate), that would mean the continuing LANL operations might lead to 5 dead Deer Mice.

So which is more important saving 5 Deer Mice (That you would be hard pressed to find.) or trying to reduce the number of real casualties in the "War on Terrorism". Better figures could be generated with better data, but you get the idea.

DOD has established the Joint IED Defeat Organization (JIEDDO) to investigate countermeasures along with various national laboratories (LANL included), the Department of Energy, contractors, and academia.

I strongly urge you NOT to deny in whole or part a hazardous waste permit (Permit) applied for by the U.S. Department of Energy and the operators (Los Alamos National Security, L.L.C., or LANS) of Los Alamos National Laboratory to treat hazardous waste. This will allow all LANL researchers and staff involved to continue to perform research and experiments that contribute to the saving of the lives of our service members in Iraq and Iran. Let's focus on saving GIs, not mice. Your continued insistence on cancellation of the burning units would not result in adverse risk to the environment that outweighs the importance of the lives of those who serve.

Sincerely,

John (Jack) C. Ellis, II, Major, USAF (Ret)