



CCNS

Concerned Citizens for Nuclear Safety

October 13, 1994

Judith M. Espinosa, Secretary
 New Mexico Environment Department
 1190 St. Francis Drive
 Santa Fe, NM 87502

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To	Jay Coghlan	From	Dennis McQuillan
Co.	CCNSO	Co.	
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Dear Ms. Espinosa,

Concerned Citizens for Nuclear Safety (CCNS) requests that the New Mexico Environment Department examine current and past operating conditions of the Radioactive Liquid Waste Treatment Facility (RLWTF) at the Los Alamos National Laboratory (LANL). The FY 1996 LANL Capitol Assets Management Plan (CAMP) states that "[t]he existing plant, built in 1963, provides no separation between radiation work areas and nonradiation work areas. Process tanks in the treatment area are open to the outside environment through windows. The design life of the concrete tankage has virtually expired and seepage is occurring through the tank walls. Mechanical areas and the pretreatment area are crowded with equipment, making maintenance difficult and unsafe." The CAMP further states that "[t]he effluent produced, using 40-year old water treatment technology in the existing plant, contains levels of regulated constituents greater than is allowed by the Clean Water Act and by DOE order 5400.5. This may cause higher than acceptable exposures to the public and wildlife." A replacement RLWTF is not scheduled to go on line until the year 2003 (if then). In the interim, continued substandard (and possibly illegal) operations at the existing RLWTF are not an acceptable environmental risk.

Striking similarities can be drawn between operations at the RLWTF and LANL's Omega West Reactor. The Omega West Reactor discharged liquid contaminants for both an undetermined period of time and at an unknown volume. We suspect the same with the RLWTF. In two respects, however, the violations at the RLWTF have possibly even more serious substantial adverse environmental impacts. Contaminants from the Omega West Reactor discharges primarily involved radioactive tritium with a half life of 12.2 years. In contrast, contaminants at the RLWTF are composed of a wide mix of toxic pollutants and radioactive constituents, including plutonium with a half life of 24,000 years. The revelations of environmental contamination at the Omega West Reactor ultimately led to

voluntary termination of its operations by DOE. Hence, there were no further adverse environmental impacts. Voluntary cessation of operations at the RLWTF cannot be expected because of that facility's critical supporting role for ongoing operations at LANL's plutonium processing facility. Therefore, in the case of the RLWTF, we expect continuing substantial adverse environmental impacts unless the NMED vigorously intervenes.

In CCNS' view, DOE and LANL have consistently diverted funding towards their programmatic goals to the gross neglect of environmental, health and safety concerns. Faced with current and past operating violations at the RLWTF, NMED must determine if DOE and LANL have accepted any lessons learned from the Omega West Reactor contaminations. In order to protect state water resources and to avoid further environmental contamination on a scale comparable to the Omega West Reactor leaks, the New Mexico Environment Department must immediately undertake effective enforcement action against substandard operations at LANL's Radioactive Liquid Waste Treatment Facility.

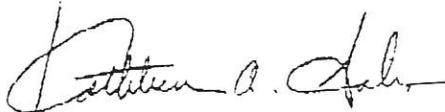
With reference to applicable New Mexico Water Quality Control Commission Regulations, CCNS requests that NMED act upon responses to the following questions:

- 1) Has LANL provided the NMED with appropriate notification of unpermitted discharges at the RLWTF (as required under Section 1-203)?
- 2) Has LANL undertaken the necessary corrective activities to contain and remove damage caused by unpermitted discharges at the RLWTF (as required under Section 1-203)?
- 3) Has LANL, in conjunction with NMED, determined what further corrective activities at the RLWTF may be necessary (as required under Section 1-203)?
- 4) Has LANL applied for approval of a discharge plan for the RLWTF (as required under Section 3-106)?
- 5) Are all discharges at the RLWTF permitted under a discharge plan (as required under Section 3-104)?
- 6) Has LANL met the monitoring, reporting and other requirements for operations at the RLWTF (as specified in Section 3-107)?

CCNS notes that the New Mexico Water Quality Act clearly provides for the issuance of a compliance order requiring immediate compliance (or, if necessary, the commencement of a civil action for appropriate relief, including injunctive relief) against any person or entity who has violated or is violating a requirement or water quality standard adopted pursuant to the Act. Civil and criminal penalties are also provided for against any person or entity who fails to monitor, sample and report as required and who discharges any water contaminant without a permit for the discharge. CCNS believes that past and ongoing operating violations at the RLWTF are so egregious (both on their factual basis and on the inability of DOE and LANL to institute compliant behavior after the Omega West Reactor leaks) as to warrant the Environment Department's immediate enforcement to the fullest extent of the New Mexico Water Quality Act.

We look forward to your response and prompt action.

Sincerely,



Kathleen Sabo,
Executive Director



Jay Coghlan
Research Analyst
LANL Programs

cc: Ms. Kathleen Sisneros
Director, Water and Waste Management Division

Mr. David Koss
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Mr. Dennis Mc Quillan ✓
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