November \_\_\_, 2019

By email to: [Cody.Barnes@state.nm.us](mailto:Cody.Barnes@state.nm.us)

Richard L. C. Virtue, Hearing Officer

c/o Cody Barnes, Hearing Clerk

New Mexico Environment Department

P.O. Box 5469

Santa Fe, NM 87505

Re: Public Comments about draft Groundwater Discharge Permit (DP-1132) for the

Radioactive Liquid Waste Treatment Facility at Los Alamos National Laboratory

WQCC No. 18-05 (A) and GWB 19-24 (P)

Dear Hearing Officer Virtue:

I oppose the issuance of the New Mexico Environment Department’s (NMED) draft Groundwater Discharge Permit (DP-1132) for the 56-year old Radioactive Liquid Waste Treatment Facility (RLWTF) at Los Alamos National Laboratory (LANL). Since 1963, hazardous waste has been handled, managed, treated, and stored at the RLWTF. Over this time, millions of gallons of treated hazardous and radioactive waste has been discharged through Outfall 051 into Effluent Canyon, which flows into Mortandad Canyon, and through groundwater to the extensive spring system at the Rio Grande.

In 1998, LANL stated it would transition the RLWTF to a zero discharge facility. In November 2010, discharges through Outfall 051 stopped. LANL began to use a mechanical evaporator system. If there is no discharge, no groundwater discharge permit may be issued.

As a result, the NM Hazardous Waste Act must regulate the RLWTF. That law provides more protection for human health and the environment than the proposed groundwater discharge permit under the NM Water Quality Act, including

* enhanced public participation and oversight, such as a Class 3 permit modification process for the new, multi-million dollar low-level radioactive waste treatment facility;
* enhanced seismic requirements that would address recent (1,400 years ago) surface rupturing earthquakes on the Pajarito Plateau, where LANL is located; and
* protections for the tank systems that are used to treat the contaminated waters, including inspections and reviews by qualified Professional Engineers.

Please recommend to the NMED Secretary that he **deny** the draft permit and require LANL to apply for a Hazardous Waste Act permit for the RLWTF. Future generations will thank you. Your careful consideration of my comments is greatly appreciated.

Sincerely,