December \_\_, 2019

By email to: [envoutreach@lanl.gov](mailto:envoutreach@lanl.gov)

Los Alamos National Laboratory

Environmental Communication & Public Involvement

P. O. Box 1663, MS K491

Los Alamos, NM 87545

Re: LANL Hazardous Waste Facility Permit Renewal Application

Dear LANL Staff:

I provide the following comments regarding the hazardous waste facility permit renewal application for Los Alamos National Laboratory (LANL). My comments and concerns encompass more than what can fit on the half-page card for public comments and questions provided at the December 4, 2019 public meeting. Even if I filled out a comment card, it is unknown if and when LANL might respond. For those reasons, I am writing this letter – and copying the New Mexico Environment Department - to provide comments that would not fit on a postcard.

I am extremely concerned about the narrow scope of the LANL application to renew the ten-year hazardous waste facility permit issued by the New Mexico Environment Department. The federal Resource Conservation and Recovery Act (RCRA) law and regulations, as implemented in New Mexico by the Hazardous Waste Act and its regulations, provide additional protections for human health and the environment. These include addressing the increasing seismic threat on the Pajarito Plateau where LANL is located, as well as the tank systems that treat hazardous and radioactive liquid wastes. Further, LANL needs to address the hazardous and toxic pollution released through open burning and open detonation activities by installing and operating contained burn facilities and contained detonation facilities.

Pursuant to the RCRA, LANL’s application must include:

1. Permit information for the Radioactive Liquid Waste Treatment Facility (RLWTF) at Technical Area 50, which handles, manages, treats, and stores hazardous waste. It has been operating without a hazardous waste permit for decades. It was bootstrapped in by the New Mexico Environment Department in violation of RCRA and the NM Hazardous Waste Act.

The Radioactive Liquid Waste Treatment Facility treats and stores hazardous as well as radioactive liquid wastes from the Plutonium Facility at Technical Area 55. The two facilities are located across the street from one another and are subject to similar seismic impacts.

On November 15, 2019, the Defense Nuclear Facilities Safety Board (DNFSB), an independent federal agency that oversees LANL nuclear weapons operations, issued its Staff Report about the *Safety Basis for the Plutonium Facility at Los Alamos National Laboratory* (dated August 16, 2019). They discuss the delays in implementing upgrades and modification to deficient safety systems. Releases of hazardous and radioactive materials in the event of an earthquake are possible. Those releases increase three fold when unsecured heavy equipment falls on equipment, including treatment facilities, following a fire. The estimated public exposure is between 24 rems to 77 rems, depending upon the release scenario. The Department of Energy Evaluation Guideline is 25 rem. I ask that their important report be attached to these comments. <https://www.dnfsb.gov/documents/letters/pf-4-safety-basis>

Evidence must be provided in the renewal application that the hazardous waste treatment facilities and tank systems are secured and that there is no potential for surrounding equipment to fall on those facilities and systems during an anticipated seismic, and possible resulting fire, event.

2. Proposals to install contained burn and contained detonation facilities to replace the antiquated and polluting open burn and detonation facilities. The installation and operation of contained burn and detonation facilities at LANL would basically stop toxic and hazardous pollution from being released into the environment.

During the 2010 hazardous waste permit hearing, CCNS presented Ralph Hayes as a technical expert on contained burn and contained detonation facilities. He is the founder of El Dorado Engineering – The World Experts in Demilitarization. <https://www.eldoradoengineering.com/> For example, Hayes and his company designed and installed a contained burn system to dispose of 16 million pounds of M6 propellant and clean burning igniters abandoned and left deteriorating on site at Camp Minden, Louisiana.

LANL is unable to answer the following question: Why won’t DOE contract with El Dorado Engineering for them to design contained burn and contained detonation facilities – with no emissions – for LANL.

Thank you for your careful consideration of my comments.

Sincerely,

cc: Ms. Neelam Dhawan, LANL Group Leader

New Mexico Environment Department

Via email to: [neelam.dhawan@state.nm.us](mailto:neelam.dhawan@state.nm.us)