

MICHAEL HORAN

P.O. Box 2262
Taos, NM 87571
22 August, 1988

Legislature
Radioactive & Hazardous Materials Committee
c/o Dave Miller/E.J. Evangelios
Legislative Counsel Service
334 State Capitol
Santa Fe, NM 87503

Gentlemen:

FOIA REQUEST TO DOE/LANL
re: Hazardous Waste Minimization Plan Certification

Enclosed, please find copy of a Freedom of Information Act request dated 19 August, 1988 we have sent to Mr. Harold E. Valencia at DOE/LANL requesting documents pertaining to compliance with Federal laws requiring certification of Hazardous Waste Minimization Plan to U.S. EPA and compliance with office paper recycling required by the Federal Office Paper Recovery Act.

We should appreciate your oversight in trying to obtain these documents as DOE/LANL refused to provide us documents in an earlier FOIA request pertaining to the TA-16 waste incinerator.

Also, we wish to draw to your attention that a radioactive and hazardous waste incinerator is currently in the EID permitting stage for DOE/LANL. To put this in perspective, Cass Peterson, an Environmental Reporter for The Washington Post comments in an article in the May/June 1988 Sierra magazine that for each kilogram of plutonium produced, 340 gallons of highly liquid radioactive waste, 55,000 gallons of low level radioactive waste, and about 2.5 million gallons of contaminated cooling water are produced. I believe the DOE/LANL plutonium production is about 135 kg. per year at Los Alamos.

Additionally, an article in the Santa Fe The New Mexican Aug. 15, 1988 on hazardous waste violations at DOE/LANL says the GAO estimates hazardous waste Superfund clean up costs at DOE/LANL to be \$130 billion - assuming the spread of the pollution from LANL can evenbe arrested.



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DOE/LANL FOIA Request (cont.)

\$130 billion to attempt to clean up LANL represents the entire foreign debt of Brazil. By comparison, \$100 billion has been spent on sewage treatment systems in the entire United States since the Congress passed the Clean Water Act of 1977.

Will your committee vote in favour of increased taxes to cover the \$130 billion LANL Superfund cleanup?

The comments of your committee and/or individual comments of committee members to the enclosed material would be appreciated.

Yours sincerely,



David Bates
P.O. Box 476
Ranchos de Taos, NM 87557
tel: 758-0143

Michael Horan
tel: 758-3522
Taos

cc: C. Kelley Crossman, NM EID, Hazardous Waste Div.
Karl Braithwaite, DOE/LANL
Marc Sides, 6H-CP, U.S. EPA, Region VI, Dallas
Hon. Pete Domenici, U.S. Senate
Hon. Jeff Bingaman, U.S. Senate

Taos Environmental Association
P.O. Box 476
Ranchos de Taos, NM 87557
(505) 758-0143
19 August, 1988

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HAZARDOUS WASTE SECTION

Mr. Harold E. Valencia
Area Manager, DOE/Los Alamos Area Office
528 35th Street
Los Alamos, NM 87544

Dear Mr. Valencia,

This is a request under the Freedom of Information Act, 5 U.S.C. Section 552 et seq., as amended, for release and reproduction of certain documents as described in this letter.

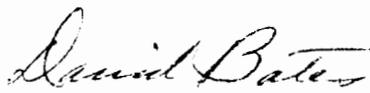
We wish to obtain the following documents, to be mailed to the above address:

- (1) A copy of Certification of Waste Minimization Plan to U.S. EPA, pursuant to requirements of amended section 3002 of RCRA and pursuant to Federal Register, Vol. 50, No. 135, July 15, 1985, p. 28733 (j) and pursuant to 40 CFR Ch. I (7-1-87 Edition), 264.73 (9).
- (2) A copy of the hazardous waste minimization plan corresponding to the aforementioned (1) waste minimization plan certification to U.S. EPA.
- (3) A copy of certification of compliance with the "Federal Office Paper Recovery Act" pursuant to requirements of 40 CFR Ch. I (7-1-86 Edition), part 246, sections 246.100 and 246.101, 246.200-1, 246.201-1, & 246.202-1.
- (4) A copy of report to the public of stated reasons by U.S. DOE/LANL for not following the requirements of 40 CFR Ch. I (7-1-86 Edition), part 246, sections 246.100, 246.101, 246.200-1, 246.201-1 and 246.202-1.

We request a waiver of fees as a non-profit community organization.

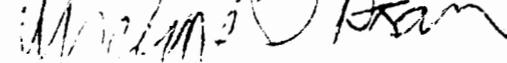
If it is determined that the request for any documents is denied, either in whole or in part, please include a list of those documents being withheld and for what reason. We expect an answer to this request, as required by law, within ten working days. If any portion of this request is denied, please inform us of our immediate avenue of appeal.

Thank you for your prompt attention to this matter.



David Bates

Yours sincerely,



Michael Horan