



# CCNS

**Concerned Citizens for Nuclear Safety**



HSWA CANL G/P/01

January 8, 2001

BY FAX TO (505) 827-1544 AND BY MAIL

John E. Kieling, Manager  
Permits Management Program  
Hazardous Waste Bureau  
New Mexico Environment Department  
P. O. Box 26110  
Santa Fe, NM 87502-6110

Re: Proposed Class III Permit Modification for Permit No. NM0890010515  
Los Alamos National Laboratory - Resource Conservation and Recovery Act

Dear Mr. Kieling:

Concerned Citizens for Nuclear Safety (CCNS) strongly objects to the intent of the New Mexico Environment Department (NMED) to approve a Class III modification to the Resource Conservation and Recovery Act (RCRA) permit issued to the U.S. Department of Energy/Los Alamos National Laboratory, Permit No. NM0890010515 for thirty solid waste management units (SWMU). CCNS requests a public hearing on this matter for the following reasons:

1. In order to protect the health and welfare of New Mexicans and the environment, NMED should retain all regulatory and enforcement powers for all SWMUs in general, and these thirty SWMUs in particular.
2. Long-term stewardship principles should be incorporated into all SWMU decisionmaking. Long-term stewardship was defined in the 1998 Natural Resources Defense Council, et al. v. Richardson, et al., Civ. No. 97-936 (SS) (D.D.C. Dec. 12, 1998) settlement agreement as

the physical controls, institutions, information and other mechanisms needed to ensure protection of people and the environment at sites where DOE has completed or plans to complete 'cleanup' (e.g., landfill closures, remedial actions, removal actions, and facility stabilization). This concept of long-term stewardship includes, *inter alia*, land-use controls, monitoring, maintenance, and information management.

Unlike other DOE sites that are "cleaning up," LANL has a continuing nuclear weapons mission, including production of plutonium batteries and pits. In order

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to protect the citizens and the environment surrounding LANL, NMED must incorporate long-term stewardship principles into all of its decisionmaking regarding LANL.

3. No SWMUs should be approved for no further action (NFA). NMED must retain all regulatory and enforcement powers over these units, especially in light of further drinking water and groundwater contamination at LANL and the surrounding area.

Should you have any questions or comments, please contact me at (505) 986-1973.

Sincerely,

A handwritten signature in cursive script that reads "Joni Arends".

Joni Arends  
Waste Programs Director