

Permit

H. L. Daneman
Santa Fe, NM 87501

1304 Calle Ramon
tel: (505)983-5883 fax: (505)983-5261

June 11, 2002

NMED
2905 Rodeo Park Drive, East
Bldg 1
Santa Fe, NM 87505

Attn: Mr. James Bearzi Chief, Hazardous Wastes

Re: LANL Order Facility - Comments

Sirs:

I have been involved in community concerns about contamination caused by LANL laboratory operations, as follows:

CAB - Member for 5 years since founding in 1995. Former chair of Environmental Restoration Committee. Former chair of CAB.

WQTF - Vice-chair of City of Santa Fe Water Quality Task Force.

In these capacities I have acquired much information about the cleanup history and process at LANL and other related institutions. I plan to give this information to the NMED and summarize my findings as follows:

CLEANUP OF CONTAMINATION AT LANL AND SURROUNDING AREAS

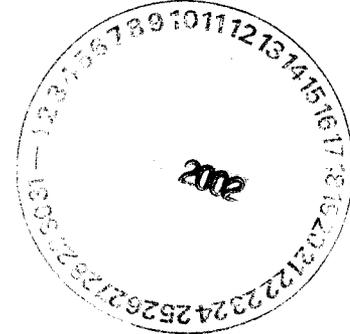
DOE:

LANL management failed to address the contamination problem as proposed by DOE EM Division under the late Secretary Alvin Alms. Various accelerated cleanup scenarios were agreed to and published by the DOE but none have been accomplished. In the meantime, sister laboratories, in particular Rocky Flats, have been cleaned up to the extent agreed to by the State of Colorado, neighboring communities and the RFCAB.

The DOE failed to fulfill any of several cleanup schedules adopted by DOE EM headquarters with agreement from DOE/LANL.

LANL:

While serving on the CAB ER committee, we discussed Waste Management activities with Dr. John Mack, manager of WM. Various programs for managing waste were prioritized by the CAB. These suggestions turned out to be meaningless as monies allocated to waste management were reported to have been diverted to weapons research or other activities given higher priority by Dr. Sig Hecker. After a few years of this, Dr. Mack left the employ of LANL.



16062

The denigration of waste management activities and the diversion of annual budgets to other programs could only result in additional contamination at LANL.

CAB:

The DOE/LANL CAB, during my tenure, made numerous observations and recommendations concerning contamination. These were ignored. For example, appeals to Messrs. Tom Baca and Tom Todd, then manager of ER and DOE station chief, respectively, to shut off the outlet of radioactive waste into the Mortandad Canyon were rejected. This canyon and several others are contaminated with hazardous wastes which have percolated into the substrata and various waters under the canyons.

The CAB reported the failure of the cleanup activity under Dr. Ted Taylor to accomplish more than remedial action on three small sites out of 603 confirmed contaminated sites at LANL. The ER committee further reported that the millions of dollars spent on ER over the past few years was actually spent on reports and studies on how to conduct studies to accomplish cleanup.

The reaction of the DOE to the CAB recommendations and concerns was to disband the CAB and reformulate it under the direction of new members, the greater majority of whom were associated with, dependent on and responsive to the wishes of the DOE. This was arranged by John Arthur of the DOE in Albuquerque who instructed Mat Johannsen, then DDFO, to arbitrarily and illegally substitute a new set of bylaws which enabled my immediate replacement as Chair of the CAB.

Since then, the CAB has been ineffectual. It has published letters and newspaper reports to claim that the original CAB was composed of "activists" who did nothing. The CAB charter requires continuity via offsetting terms of office. No effort was made by the present CAB to recover the information accumulated by the original CAB.

The DOE hired Bechtel to report on the community attitude toward the CAB. I sent a rebuttal to the first such report because it was erroneous. Although it was promised to me, I have not yet seen the second and recent Bechtel report.

The CAB as presently constituted is useless as a means of dealing with contamination at LANL as it only exists as a supporter of the DOE/LANL management.

UNIVERSITY OF CALIFORNIA:

I have had correspondence with the U. of Cal. President's Office and visits with their oversight panel under Dr. Patricia Buffler. The panel is managed by the DOE during semi-annual visits and not allowed to receive complaints or hear the concerns of local citizens. The President has asserted that LANL under their management will not be permitted to manufacture Plutonium pits. This prohibition has been withdrawn.

The pit production as conducted at Rocky Flats was responsible for their contamination. The four engineers in charge of their pit production were moved from Rocky Flats to LANL along with their apparatus. I met with them to discuss the potential for further contamination at LANL. These scientists claimed that the fires at Rocky Flats were caused by oily rags - not the collection and oxidation of Plutonium dust in the glove box filters. Their claims contradicted the reports of the State of Colorado Department of Public Safety and Health. Accordingly, we have

no confidence in their claims not to add to the contamination at LANL.

The University has only superficial contact with stakeholders able to report on environmental harm and is therefore irrelevant in managing environmental cleanup or protection.

ACCORD PUEBLOS:

The four accord pueblos are receiving over \$300,000 each to monitor contamination of air and water. None of these are prepared to offer data on groundwater contamination based on supposed monitoring. Former DOE station chief Tom Todd has written me to say that no outside activity will ever get such data as the DOE agreement recognizes these pueblos as sovereign nations and permitted to maintain secrecy of any information derived on their sites.

Former Vice-chair of the CAB and former Lt. Governor of the San Ildefonso Pueblo, Elmer Torres, is now an employee of LANL to enhance community relations. Mr. Torres has indicated no likelihood of releasing any data which, in the future might be acquired, to the public.

Although the Accord Pueblos are seriously impacted by lab legacy detritus, there is little action toward co-operation with the NMED or DOE EM divisions to protect their lands from further contamination.

WATER QUALITY TASK FORCE:

The City of Santa Fe established a Water Quality Task Force to advise on the formation of a non-profit group who could fund a survey of the likelihood of LANL contamination reaching Santa Fe's water supply. Instead, the task force, under the Chairmanship of LANL employee Chuck Montano, pursued a study of potential pathways by which contamination might reach the aquifer serving Santa Fe. This, notwithstanding the admission by LANL hydrologists that no information was yet available by means of which such pathways could be guessed at.

The task force final report stated that Dr. John Till, who spoke to the WQTF on his team's work on air pollution resulting from the Cerro Gordo fire, approved of the task force's review of pathways. This fact was supposedly confirmed by telephone calls to Dr. Till and is reported as such in the December 11, 2000 final meeting. I have an e-mail from Dr. Till who does not recall any telephone conversations with members of the task force regarding pathways and who is confused as to why the WQTF invited him and his team to discuss air pollution when it's primary concern is water pollution.

The WQTF has no legitimate basis for concluding that legacy hazardous wastes in LANL canyons and perched waters will not percolate into the aquifer supplying Santa Fe in sufficient concentrations to result in forced abandonment of this source of supply within the next 40 years.

SUMMARY OF CONCLUSIONS:

1. The **DOE** failed to fulfill any of several cleanup schedules adopted by DOE EM headquarters with agreement from DOE/LANL.
2. The denigration of **LANL** waste management activities and the diversion of annual budgets to other programs could only result in additional contamination at LANL.
3. The **CAB** as presently constituted is useless as a means of dealing with contamination at LANL as it only exists as a supporter of the DOE/LANL management.
4. The **University** has only superficial contact with stakeholders able to report on environmental harm and is therefore irrelevant in managing environmental cleanup or protection.
5. Although the Accord **Pueblos** are seriously impacted by lab legacy detritus, there is little action toward co-operation with the NMED or DOE EM divisions to protect their lands from further contamination.
6. The **WQTF** has no legitimate basis for concluding that legacy hazardous wastes in LANL canyons and perched waters will not percolate into the aquifer supplying Santa Fe in sufficient concentrations to result in forced abandonment of this source of supply within the next 40 years.

None of the oversight activities mentioned above have been effective in the face of opposition from the DOE/LANL. Accordingly, it is only by the order of the NMED that the communities surrounding LANL can expect to see a realistic effort by the DOE to cleanup hazardous contamination created and dispersed by LANL.

Submitted by:



H. L. Daneman