

Permit

**John Kieling**

**From:** John Young [john\_young@nmenv.state.nm.us]  
**Sent:** Friday, March 18, 2005 4:12 PM  
**To:** Kate Lynnes; John Kieling; Steve Zappe; Cobrain Dave  
**Subject:** FW: LANL's OB/OD draft permit

FYI: here is a message from joni arends regarding lanl's air quality permit. i also have the letter joni refers to regarding ob/od (permitted or not) activities (#1) lanl sent to joni.

-----Original Message-----

**From:** Joni Arends [mailto:jarends@nuclearactive.org]  
**Sent:** Friday, March 18, 2005 3:04 PM  
**To:** mike\_schneider@nmenv.state.nm.us  
**Cc:** john\_young@nmenv.state.nm.us; serit@cybermesa.com  
**Subject:** LANL's OB/OD draft permit

Mike,

Thank you for your time this morning to discuss CCNS's outstanding concerns about the draft permit for LANL's open burning/open detonation activities, which we understand you are planning to release in the middle of next week. Pursuant to our telephone conversation this morning, I did the following:

1. HWB Request about all OB/OD Activities. John Young had not received the 2/8/05 letter from Jackie Hurtle, of LANL's MAQ, to me. I faxed it to him. Then I spoke with John on the phone. He said that LANL's letter did not satisfy his request made at our February 1, 2005 meeting for a listing of all of LANL's open burning/open detonation activities. The letter mentioned only three. The HWB will be putting together a formal letter request to LANL for the information.
2. Air monitoring at the firing sites. CCNS believes that the source term should be monitored. In that regard, I faxed you LANL's "Technical justifications for closing on-site station 77," along with a printout from the LANL MAQ website. I draw your attention to the first item of the 2005 program changes to closed sampler number 77. In addition, please review the fourth bullet under 2004 program changes. LANL states that there were three air monitoring stations at the firing sites. In 2004 LANL decided to eliminate two stations and keep station 77 because it measured the highest concentrations. Now LANL proposes to close the final monitoring station at the source term.

In order to protect public health and safety and to inform the public whether there are emissions at the firing sites, air monitoring at the source area needs to continue. We find LANL's justification for closing station 77 to be technically inadequate. We look forward to discussing this issue with AQB Bureau Chief Sandra Ely and possibly NMED Secretary Ron Curry. I am in the process of composing a letter to George Brozowski at EPA Region 6 to express our concerns about changes to the radionuclide air monitoring program at LANL and will include you on the email.

3. Cerro Grande Fire and High Explosives. High explosives, specifically RDX, HMX, DNB and TNT, were chemicals of concern released during the Cerro Grande fire, specifically those released from from the burned area within the LANL site near its western boundary, which area is the subject of the draft OB/OD permits. "Summary Report: Analysis of Exposure and Risks to the Public from Radionuclides and Chemicals Released by the Cerro Grande Fire at Los Alamos," June 12, 2002, p. 7.



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In some cases the hazard quotients exceeded 1.0 and "reached a maximum value of 2.0 for the resident adult scenario." Id. While the authors later state that they believe they overestimated the source term for the compounds, it remains an open question which air monitoring around the source term could accomplish.

4. The new Institute for Energy and Environmental Research (IEER) report, which reviews the latest scientific data about health effects of depleted uranium, may be found at [www.ieer.org](http://www.ieer.org). It is shown on the right side of the home page. Please include the report in the administrative record for LANL's OB/OD permit proceedings. Thank you. Below is this week's *CCNS News Update*, which is about the IEER report.

CCNS maintains that a public hearing is required for the draft permits. I look forward to further discussions with you about these issues. Thank you for your time.

Joni

### **CCNS NEWS UPDATE**

Runs 3/16/05 through 3/23/05

(THEME UP AND UNDER)

This is the CCNS News Update, an overview of the latest nuclear safety issues brought to you every week by Concerned Citizens for Nuclear Safety. Here is this week's top headline:

#### **New Report Discusses Health Effects of Depleted Uranium.**

\* A report released recently by the Institute for Energy and Environmental Research (IEER) indicates that the health effects of depleted uranium may be more severe than reflected in current federal exposure standards. The report addresses potential long-term storage in New Mexico of thousands of tons of depleted uranium as a result of proposed uranium enrichment activities in Lea County.

The report finds that depleted uranium may mutate cells, create and promote tumors and effect neurologic function, similar to lead, among other things. Also, depleted uranium may cross the placenta and harm developing fetuses. However, federal exposure standards only address depleted uranium's effects on the kidneys, which means they may be too lenient to protect from other harmful effects.

The uranium enrichment facility proposed by Louisiana Energy Services (LES) for Lea County would separate uranium into its component isotopes. Uranium-235, or enriched uranium, would be used as fuel for commercial nuclear reactors. Uranium-238, or depleted uranium, is waste. The depleted uranium from the LES facility would be added to the 740,000 tons of such waste awaiting permanent disposal nationwide.

Lea County residents are concerned that LES will not develop a disposal plan for the depleted uranium and that the waste may remain in Lea County indefinitely. The Nuclear Information and Resource Service (NIRS) and Public Citizen, two public advocacy groups that are legally intervening in the licensing process for the facility, commissioned the IEER report. The report gauges the potential fiscal guarantee required to compensate Lea County for this nuclear waste liability. The report concludes that LES would have to provide at least \$2.5 billion in financial guarantees to cover the liability. Michael Mariotte, of NIRS, said, "The people of New Mexico and the taxpayers of the United States may find themselves saddled with enormous liabilities."<sup>2</sup>

Although LES has proposed disposing of the waste in abandoned uranium mines or in a shallow geologic repository, IEER's analysis indicates that depleted uranium has a radioactivity similar to that of transuranic waste, which requires deep geologic disposal. IEER estimates that the risk from exposure to depleted uranium may be as much as four times more dangerous than plutonium-239, which is one of the primary contaminants in transuranic waste. Further, IEER notes that uranium is more mobile in the

environment than plutonium, which means that it may disperse more quickly to surrounding areas.

According to IEER, depleted uranium is particularly dangerous to children. The report states that the risk to a child of developing a fatal cancer from depleted uranium is approximately six to eight times greater than the average risk currently used by the Environmental Protection Agency to set exposure standards.

Brice Smith, of IEER, said, <sup>3</sup>The health risks of depleted uranium may be far more varied than is recognized in federal regulations today.<sup>2</sup>

The staff of the Nuclear Regulatory Commission, which licenses such facilities, has attempted to reclassify depleted uranium as low-level waste to facilitate disposal. Arjun Makhijani, of IEER, said, <sup>3</sup>To paraphrase Shakespeare, dangerous radioactive waste by any other name would still pose significant health risks.<sup>2</sup>

This has been the CCNS News Update. For more information about these or other nuclear safety issues, please visit our web page at [www.nuclearactive.org](http://www.nuclearactive.org).

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Joni Arends, Executive Director  
Concerned Citizens for Nuclear Safety  
107 Cienega Street, Santa Fe, NM 87501  
(505) 986-1973; fax (505) 986-0997  
CCNS Hotline: (505) 982-5611 (local); (800) 456-8863  
[www.nuclearactive.org](http://www.nuclearactive.org)

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