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/o=State of New Mexico/ou=First Administrative Group/cn=Recipients/cn=John.Kieling

From: Joni Arends [jarends@nuclearactive.org]
Sent: Monday, February 27, 2006 4:59 PM
To: Kieling, John, NMENV
Subject: FW: Public Comment about Public Notice No. 05-20

Attachments: NMED CO 2.25.06.doc



NMED CO
25.06.doc (48 KB)

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Joni Arends, Executive Director
Concerned Citizens for Nuclear Safety
107 Cienega Street
Santa Fe, New Mexico 87501
Tel (505) 986-1973
Fax (505) 986-0997
www.nuclearactive.org

----- Forwarded Message
From: Joni Arends <jarends@nuclearactive.org>
Date: Mon, 27 Feb 2006 16:21:39 -0700
To: <john_kieling@state.nm.us>
Cc: Jay Coghlan <jcoghlan@nukewatch.org>, "S. Kotowski" <serit@cybermesa.com>, Peggy Prince <PEACEACTIONNM@AOL.COM>, "mariann2@valornet.com" <mariann2@valornet.com>, Sue Dayton <sdayton@swcp.com>, Janet Greenwald <contactus@cardnm.org>
Subject: Public Comment about Public Notice No. 05-20

February 27, 2006

By email to: john_kieling@state.nm.us

John E. Kieling, Program Manager
NMED Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Re: Public Notice No. 05-20, dated December 27, 2005
Public Comments about the Proposed Changes to Schedule to the Compliance Order on Consent for Los Alamos National Laboratory, Los Alamos, NM
EPA ID No. NM0890010515

Dear Mr. Kieling:

The undersigned individuals and non-profit organizations make the following specific and general comments about the proposed changes to the schedule to the Compliance Order on Consent for Los Alamos National Laboratory (LANL). Several representatives from the undersigned groups attended the public meeting on January 10, 2006 at the Cities of Gold Hotel.

The proposed changes are the first modification of the Order. The Table XII Schedules are an essential part of the Order. In anticipation of more changes over the next decade, we suggest the following:

1. Tables XII-1, 2 and 3 must indicate the reason for the 'new



due date² or the ³new notice date.² As stated in Section III.M.2 of the Order, the Department may ³approve the document as submitted, modify the document and approve it as modified, or disapprove the document.² If the Department disapproves a document, the Respondents are given time to make changes. The Tables should reflect the reason for the new due date or new notice date. We suggest the use of a footnote. The use of a footnote to indicate the reason for the delay on the Tables will prove to be an invaluable tool for the public in our review of the cleanup process.

We are very concerned about the proposed FY2007 budget cuts for cleanup at LANL. The Respondents must submit, without unnecessary delay, documents that meet the requirements of the Order to assure prompt approval by Department. We have no desire to witness precious resources squandered on repeated exchange of documents between the Respondents and Department.

2. Footnote 4 of Table XII-2 and Footnote 5 of Table XII-3 are confusing because some of the rows under the ³Deliverable² or ³Site² columns, respectively, indicate a due date for an Investigation Report, while others do not. We suggest the footnotes be expanded to indicate that the Department will approve the schedule for submitting the Investigation Report after reviewing the Investigation Work Plan. Further, the footnote should indicate that upon approval, the Department will incorporate the Investigation Report schedule into the Tables.

Our general comment involves the status of the website for the Order documents. We are very close to the one-year anniversary of the Order. We remain concerned about the delays in posting the electronic copies of the documents on the Department's website. We urge the Respondents and the Department to resolve the funding issues at the earliest opportunity so that the public may assume more effective participation in the Order process.

Thank you for your consideration of our comments. Should you have any questions or comments, please contact us at the phone and email addresses below.

Sincerely,

Joni Arends, Executive Director
Concerned Citizens for Nuclear Safety
107 Cienega Street
Santa Fe, NM 87501
(505) 986-1973
jarends@nuclearactive.org <mailto:jarends@nuclearactive.org>

Jay Coghlan, Executive Director
Nuclear Watch New Mexico
551 W. Cordova #808
Santa Fe, NM 87505
(505) 989-7342
jay@nukewatch.org <mailto:jay@nukewatch.org>

Sheri Kotowski
Embudo Valley Environmental Monitoring Group P. O. Box 291 Dixon, NM 87527
(505) 579-4076
serit@cybermesa.com <mailto:serit@cybermesa.com>

Marian Naranjo
Rt. 5, Box 474
Española, NM 87532
(505) 753-9970
mariann2@valornet.com <mailto:mariann2@valornet.com>

Peggy Prince
Peace Action New Mexico
226 Fiesta Street
Santa Fe, NM 87501
(505) 989-4812
peaceactionnm@aol.com <mailto:peaceactionnm@aol.com>

Janet Greenwald

Citizens for Alternatives to Radioactive Dumping
202 Harvard Drive, SE
Albuquerque, NM 87106
(505) 266-2663
contactus@cardnm.org <mailto:contactus@cardnm.org>

Sue Dayton
Citizen Action
P. O. Box 262
Sandia Park, NM 87047
(505) 262-1862
sdayton@swcp.com <mailto:sdayton@swcp.com>

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Concerned Citizens for Nuclear Safety
107 Cienega Street
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----- End of Forwarded Message

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Nuclear Watch New Mexico
551 W. Cordova #808
Santa Fe, NM 87505
(505) 989-7342
jay@nukewatch.org

Sheri Kotowski
Embudo Valley Environmental Monitoring Group
P. O. Box 291
Dixon, NM 87527
(505) 579-4076
serit@cybermesa.com

Marian Naranjo
Rt. 5, Box 474

Española, NM 87532
(505) 753-9970
mariann2@valornet.com

Peggy Prince
Peace Action New Mexico
226 Fiesta Street
Santa Fe, NM 87501
(505) 989-4812
peaceactionnm@aol.com

Janet Greenwald
Citizens for Alternatives to Radioactive Dumping
202 Harvard Drive, SE
Albuquerque, NM 87106
(505) 266-2663
contactus@cardnm.org

Sue Dayton
Citizen Action
P. O. Box 262
Sandia Park, NM 87047
(505) 262-1862
sdayton@swcp.com