Kieling, John, NMENV

From: Barbara Ann Barbato, S.L. [barbatba@webster.edu]
Sent: Wednesday, August 12, 2009 11:45 AM
To: Kieling, John, NMENV
Subject: on behalf of Valerie Novak

August 12 2009

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

Dear Mr. Kieling:

I make the following public comments about the revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle a quarter million pounds of hazardous waste each year during the 10-year permit.

While I do not live in New Mexico, Sisters of Loretto have been serving the people of NM continuously for 157 years. The Loretto Community holds NM dear to our hearts and many of us continue to visit. We care about the welfare of our New Mexican friends.

1. I object to the use of open-air burning for 12,500 pounds of hazardous waste each year. The open burning releases poisons into the air we breathe, which poses a direct threat to public health, wildlife, and the environment. In 2004, NMED stopped the open burning of household trash because of toxic emissions. **I support NMED requiring DOE/LANL to install a confined burn facility as an alternative to open-air burning.**

2. LANL has consistently failed to protect groundwater from contamination, which moves into drinking water sources for many NM citizens. **In order to protect our precious drinking water, NMED must require that DOE/LANL strictly comply with the groundwater requirements of 40 CFR 264, Sections 90-101.**

3. A 2007 review described a 50% increase in the seismic hazard at LANL. **I object to NMED allowing DOE/LANL to continue to manage hazardous waste without a full study of the seismic hazard in the waste management areas and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations from seismic reviews before the permit is finalized for the hazardous waste management units.**

4. Over the past 10 years, serious deficiencies in the DOE/LANL Emergency Management and Response Division have been found by several government auditing agencies, including the DOE Inspector General, the Government Accountability Office and the Defense Nuclear Facility Safety Board. **I object to NMED allowing DOE/LANL to continue to manage hazardous waste without meeting the emergency management, planning, preparedness and response requirements.**

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5. NMED must require DOE/LANL to meet the enhanced participation requirements issued by the EPA for "early, often, continuous and meaningful contact with the public" regarding the cleanup of old LANL dump sites.

6. I support NMED requirements in the draft permit requiring DOE/LANL to meet all of the financial assurance requirements for funding for cleanup of each of the 26 hazardous waste management units when they are done using them.

Sincerely,

Valerie Novak, SL
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