

Permit 3/18/10



**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT**

IN THE MATTER OF:

**APPLICATION OF THE UNITED STATES)
DEPARTMENT OF ENERGY AND)
LOS ALAMOS NATIONAL SECURITY, LLC)
FOR A HAZARDOUS WASTE FACILITY)
PERMIT FOR LOS ALAMOS NATIONAL)
LABORATORY)**

**No. HWB 09-37(P)
HWB 10-04(P)**

TESTIMONY OF ANTHONY STANFORD

My name is Tony Stanford and I am currently the Emergency Operations Division Leader at LANL. I am responsible for the overall emergency planning, preparedness, training, implementation, response and recovery across LANL. This includes coordinating services from the Los Alamos County Fire Department to the site and provides technical leadership and direction for the operation of the Emergency Operations Center on behalf of LANL and its cooperation/collaboration with Los Alamos County, integrating emergency management for local, regional, and incidents/events of national significance.

My testimony is based on my extensive experience in the hazardous and nuclear waste industry, my knowledge and understanding of applicable RCRA requirements for preparedness and prevention, my understanding of emergency preparedness practices at LANL, my understanding and familiarity with the Proposed RCRA Permit, and specifically with the Contingency Plan which is Attachment D of the Proposed Permit.

1. Qualifications

I received a Bachelor of Science degree in Oceanographic Technology from Florida Institute of Technology and a Master of Science degree in Environmental Engineering from the University of Florida. I am a Certified Project Management Professional and a Certified Hazardous Material Manager.

After receiving my Masters degree in 1980, I was employed at several nuclear power facilities providing support in the areas of Radiological Engineering and Health Physics.

I joined LANL in 1993 as a technical staff member responsible for the development of a nuclear operations training program and the development of a document control and records management program at LANL's TA-54 Treatment, Storage, and Disposal (TSD) Facility. At the



beginning of my management career at LANL, I managed the Transuranic Storage and Low Level Waste disposal facilities at TA-54.

As the Group Leader/Facility Manager of LANL's Solid Waste Operations, I was assigned the management of LANL Waste Management facilities. I organized all aspects of radioactive and hazardous waste activities; from waste acceptance criteria to manifest approval, and ensured the maintenance of the facility and of the authorization basis. This assignment included the management of the solid radioactive and hazardous waste management facility at TA-54, as well as the radioactive liquid waste treatment facility at TA-50. I routinely interacted with various stakeholders such as the EPA and the New Mexico Environmental Department regulators as well as with concerned members of the public.

As the Division Leader of Facility and Waste Operations at LANL, I was responsible for the LANL facility infrastructure support which included: Utilities (20-megawatt power station and all associated gas, water and power distribution), Engineering Design/Standards, Facility Maintenance and Construction modifications, Fire Protection, Waste Management (Nuclear, Hazardous & Sanitary), and Facility/Building Management. I was directly responsible for the TA-54 TSD facility. I interacted on a regular basis with regulators both EPA & New Mexico Environmental Department.

2. Material Reviewed

In preparation of this testimony, I reviewed the following:

- Proposed Permit issued January 20, 2010
- NMED Fact Sheet dated July 6, 2009 "Intent to issue a Hazardous Waste Facility Permit Under the New Mexico Hazardous Waste Act, Los Alamos National Laboratory (LANL), Los Alamos County, New Mexico
- Comments received from interested members of the public.

3. LANL Emergency Operations and the Proposed Permit

LANL has a long history of working with hazardous and nuclear materials and has developed an extensive capability to plan, train, respond to and manage a variety of emergency scenarios. LANL's emergency management process is designed to ensure that emergencies are mitigated in the most effective manner and that proper protection is afforded to Laboratory employees, contractors, the public and environment. The Laboratory has an Emergency Management Plan that documents the planning for, response to and mitigation of the consequences of an emergency. This plan, coupled with the building emergency planning program and site-specific emergency procedures, presents the requirements, procedures and information needed to ensure that any emergency experienced at LANL is mitigated in the most expeditious and effective manner. This plan covers all Technical Areas at LANL. The Contingency Plan which is the subject of this testimony identifies specific RCRA requirements and is used in coordination with

the Emergency Management Plan to assure RCRA requirements are met at all RCRA permitted and interim status units.

LANL has a dedicated emergency response organization that is comprised of approximately 100 highly trained, full time professionals that plan for and manage all on site emergencies. These individuals perform the functions of analyzing accident scenarios, providing Incident Command, notifications and HazMat response. LANL's emergency response organization works with Los Alamos County Fire personnel as additional first responders to any emergency at LANL. LANL has a state of the art Emergency Operations Center that has extensive communication facilities, updated site hazardous and nuclear materials inventory data, meteorological modeling and plume display capability, and emergency equipment storage space. During emergency situations, the Emergency Operations division's Emergency Management and Response Groups will exercise the command and control of emergency response elements through the incident commander on the scene and the Emergency Operations Center (if activated). These individuals are in charge of resolving emergencies that occur at LANL.

Part 2.11.1 Implementation of Contingency Plan: This section requires LANL to implement the Contingency Plan (Attachment D) on the occurrence of:

1. an incident at a permitted unit that could threaten human health or environment,
2. a release of hazardous waste:
 - a. that cannot be contained with secondary containment or application of sorbents;
 - b. of inflammable material creating a fire or explosion hazard; or
 - c. that results in toxic fumes.
3. Explosions:
 - a. if an unplanned explosion involving hazardous waste occurs; or
 - b. if an imminent danger of an explosion involving hazardous waste exists;
4. Fires:
 - a. if a fire involving hazardous waste occurs; or
 - b. if any building, grass, forest, or non-hazardous waste fire exists that threatens to volatilize, react, or ignite hazardous waste.

The conditions for implementation of the Contingency Plan are consistent with 40 CFR 264.52(a) and are supported by the RCRA regulations. This section also specifies that LANL have available trained emergency response personnel at all times. LANL agrees with the language in the Proposed Permit. The language in the Proposed Permit meets the requirements of the RCRA regulations and is protective of human health and the environment.

Part 2.11.2 Content of Contingency Plan: This section specifies the Contingency Plan content for each permit unit, namely: (1) a description of actions to be taken, based on 40 CFR 264.52(a), (2) a description of arrangements with local emergency responders, based on 40 CFR 264.52(c), (3) a description of contracts or MOUs with emergency response contractors based on 40 CFR 270.32(b)(2) and, (4) names and phone numbers of primary and alternate emergency

managers, based on 40 CFR 264.52(d), (5) a list of all on site emergency equipment at each permitted unit, based on 40 CFR 264.52(e), and (6) and evacuation plan, based on 40 CFR 264.52(f). LANL agrees with the language of the Proposed Permit. The language in the Proposed Permit meets the requirements of the RCRA regulations and is protective of human health and the environment.

Part 2.11.3 Distribution: This section requires that current copies of the Contingency Plan be distributed to each permitted unit, the Emergency Management and Response Office, and the Operating Record. This requirement is based on 40 CFR 264.53. LANL is required to distribute copies of the Contingency Plan to Los Alamos County Fire Department, the State of New Mexico Homeland Security and Emergency Management Area 3 Emergency Coordinator and other entities with mutual assistance agreements with LANL for emergency response. This section also specifies that evacuation routes be posted at each permitted unit. LANL agrees with the language of the Proposed Permit. The language in the Proposed Permit meets the requirements of the RCRA regulations and is protective of human health and the environment.

Part 2.11.4 Amendments to the Contingency Plan: This section specifies the conditions when LANL will review and update the Contingency Plan. This section also specifies an annual review of the Contingency Plan by emergency managers listed in Attachment D and a record of this review be placed in the Operating Record. LANL agrees with the language of the Proposed Permit. The language in the Proposed Permit meets the requirements of the RCRA regulations and is protective of human health and the environment.

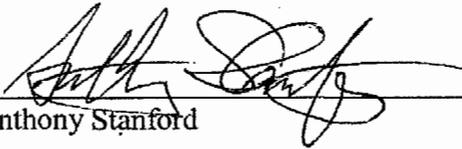
Part 2.11.5 Emergency Manager: This section incorporates by reference the requirements of 40 CFR 264.55, as to the emergency coordinator, who is responsible for all emergency response measures relating to hazardous waste. Further, LANL is required to inform the Department of changes to the Emergency Manager designations within seven days of the change. LANL agrees with the language of the Proposed Permit. The language in the Proposed Permit meets the requirements of the RCRA regulations and is protective of human health and the environment.

Part 2.11.6 Required Emergency Procedures: This section contains notification requirements for the implementation of the Contingency Plan and after emergency events. This section requires LANL to report within 24 hours after emergency events that (a) may cause endangerment to public drinking water supplies or (b) releases, fires or explosion which could threaten the environment or human health outside of the facility. This section also specifies air monitoring after fires, explosions or atmospheric releases. LANL agrees with the language of the Proposed Permit. The language in the Proposed Permit meets the requirements of the RCRA regulations and is protective of human health and the environment.

Part 2.11.7 Post-Emergency Procedures: This section requires that after emergency events, the emergency manager shall provide for the treatment, storage, or disposal of recovered wastes. This section also specifies the NMED authority to determine whether the spill has been entirely

remediated and to determine further corrective actions. LANL agrees with the language of the Proposed Permit. The language in the Proposed Permit meets the requirements of the RCRA regulations and is protective of human health and the environment.

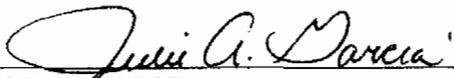
FURTHER AFFIANT SAYETH NAUGHT



Anthony Stanford

STATE OF NEW MEXICO)
) ss.
COUNTY OF LOS ALAMOS)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me this 18th day of March, 2010



NOTARY PUBLIC

My Commission Expires:

4-16-12

