

Permit



Loretto Community  
Sisters and Comembers  
NM Office  
113 Camino Santiago  
Santa Fe, NM 87501  
505-983-1251

**RECEIPT**

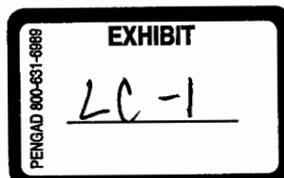
I, Unessa Barros, received

587 signatures on the "Petition for Confined Burning Facilities at Los Alamos National Laboratory" for insertion into the NMED Public Comment Record for the July 6, 2009 revised draft New Mexico Environment Department Hazardous Waste Permit for Los Alamos National Laboratory.

Dated: 9/3, 2009.

Unessa Barros

Signature  
For: New Mexico Environment Department  
Hazardous Waste Bureau



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Sisters and Comembers  
NM Office  
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Santa Fe, NM 87501  
505-983-1251

**RECEIPT**

I, Umessa Baros, received  
182 <sup>consideration and</sup> comment letters for insertion into the NMED Public Comment Record  
^  
for the July 6, 2009 revised draft New Mexico Environment Department Hazardous  
Waste Permit for Los Alamos National Laboratory.

Dated: 9/3, 2009.

Umessa Baros

Signature  
For: New Mexico Environment Department  
Hazardous Waste Bureau

# PETITION FOR CONFINED BURNING FACILITIES AT LANL

We, the undersigned, state:

1. All people, plants and animals are intricately tied to the health of our air.
2. Historic and on-going operations at Los Alamos National Laboratory (LANL) threaten our cultural, spiritual and ecological survival.
3. Our local, state and federal government agencies have a duty to protect the public health and welfare by setting and enforcing laws and regulations that protect our air.
4. Healthy communities and ecosystems require clean, innovative and life-affirming science and technology that will benefit the economy, the future and the health of all.
5. We recognize and respect that air does not seek or uphold political, social, cultural or economic boundaries.

To ensure the good health of our air, we demand that in 2009 LANL stop all open burning of hazardous waste and install confined burn facilities that will limit hazardous air emissions.

NAME

ADDRESS

E-MAIL

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*Please return to: Loretto Community, 113 Camino Santiago, Santa Fe, NM 87501*

*(over)*

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NAME

ADDRESS

E-MAIL

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*Please return to: Loretto Community, 113 Camino Santiago, Santa Fe, NM 87501*

*(over)*

Date: \_\_\_\_\_

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: john.kieling@state.nm.us

Dear Mr. Kieling:

I make the following public comments about the February 2, 2010 revised draft Hazardous Waste Permit for Los Alamos National Laboratory (LANL), which will allow the Department of Energy (DOE) and LANL to handle ¼ million pounds of hazardous waste each year during the 10-year permit.

**1. I support the NMED denial of LANL's permit applications for the open air burning of hazardous waste.** LANL has been on notice for more than 21 years that the public does not want them to use our air for disposal of hazardous waste. If DOE/LANL needs to continue to burn hazardous waste, there are alternatives, including confined burn facilities that are designed to capture the emissions. Any permit for confined burned facilities must include limits on the amount and types of waste to be burned, as well as the frequency.

**I support NMED requiring DOE/LANL to install confined burn facilities *before* the permit is finalized as an alternative to open burning. The permit must include limits as to the type and amount of waste and the frequency of the burns.**

**2. Public Participation Must Be Early, Often, Meaningful, and Continuous.** The Environmental Protection Agency (EPA) issued enhanced public participation requirements for **early, often, meaningful, and continuous contact with the public** about the cleanup of the LANL dumpsites. The 25 dumps contain "legacy waste," which are dangerous mixtures of wastes contaminated with chemicals and radiation. NMED, DOE and LANL have been lax in fulfilling the public participation requirements, such as holding public meetings on a regular basis, providing documents, and informing the public of opportunities for input into decision-making processes.

**The permit must include prescriptive requirements for NMED and DOE/LANL to provide enhanced participation as required by EPA for early, often, continuous, and meaningful contact with the public about both the Compliance Order on Consent (Consent Order) and the Final LANL Permit.**

**3. DOE/LANL is required to establish an Information Repository** where permit documents are readily available to the public. NMED is only requiring LANL to create a virtual (electronic) repository. Previous drafts of the permit required both a virtual and physical repository. **EPA supports a physical Information Repository.**

As an act of Restorative Justice and in order to meet the needs of both urban and rural communities and future generations, **NMED must require DOE/LANL to establish both a physical Information Repository in the Española Valley, as well as a virtual (electronic) version *before* the permit is finalized.**

**4. Emergency Management, Planning, Preparedness and Response.** 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**. The reports described serious problems with LANL fire protection *before* the Cerro Grande Fire of 2000. The new reports describe the ongoing failure to provide fire protection.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without meeting the emergency management, planning, preparedness and response requirements. NMED must conduct a full investigation into the recommendations of the expert reports and require their implementation *before* the permit is finalized.**

**5. Seismic Hazard on the Seismically Active Volcanic Pajarito Plateau.** A 2007 report described a 50% increase in the seismic hazard at LANL. It identified many deficiencies in the knowledge of the seismic hazard and made recommendations for further field studies. It also identified the failure of DOE/LANL to install and operate a reliable network of seismic instruments (seismometers) to accurately monitor the seismic hazard from ground motions. The current network consists of uncalibrated seismometers at only three locations.

**I object to NMED allowing DOE/LANL to continue hazardous waste operations without the necessary field studies and without a reliable network of seismometers. NMED must conduct a full investigation into the recommendations of these seismic reviews *before* the permit is finalized.**

**6. Financial Assurance Requirements.** DOE/LANL and its contractor do not want to provide the financial documents to ensure that funding is available to cleanup the contaminated facilities at LANL when they are done using them.

**I support NMED requirements in the revised draft permit that DOE/LANL must meet all of the financial assurance requirements for each of the 24 hazardous waste management units.**

**7. Additional Comments.**

Sincerely,

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

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**RECEIPT**

I, Sally Worthington  
received **86** signatures on petitions requesting a **Confined Burning Facilities at Los Alamos National Laboratory**, collected by the Loretto Community.

Date: May 5, 2010.

Signature: Sally Worthington

Representing: New Mexico Environment Department

