

7/20/89

BRIEFING ON LOS ALAMOS NATIONAL LABORATORY (LANL)

- A public hearing is being conducted on the LANL incinerator permit in Santa Fe during the week of July 17-21. Public interest is very strong due to potential health issues of mixed radioactive/hazardous waste.
- EPA representatives (Bill Gallagher -- Permits Section Chief) are at the public hearing to answer questions concerning the EPA portion of the permit -- primarily the corrective action portion.
- Of the 600+ Solid Waste Management Units (SWMUs) listed in the permit for investigation for cleanup, approximately 60 are located in the city of Los Alamos. They are associated with property formerly managed by LANL but since transferred to other public and private parties.
- Local newspapers have begun to report that some SWMUs are located off-site and in the city.
- The SWMUs consist of used oil management areas (drum storage, underground tanks) an airport landfill believed to contain sanitary waste and also possibly laboratory and radioactive waste, an old incinerator building and associated residue deposits. The incinerator was believed to have burned domestic wastes but was included in the list for investigation due to a lack of sufficient data to preclude the possibility that other wastes were burned.
- Informal conversations with Superfund Site Assessment staff to review the off-site SWMUs and discuss possible authorities to address them led to the conclusion that they might not rank high enough to address under Superfund. Therefore, they have been included in the hazardous waste permit. The DOE is accepting responsibility for the off-site SWMUs (not challenging inclusion in permit), and has included them in their Environmental Restoration Program.
- The land based off-site SWMUs have been included in the first phase of study to evaluate contamination and need for remedial action.

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Permit

BILL GALLAGHER
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RESCHEDULE OF EPA PUBLIC HEARING AND EXTENSION OF PUBLIC COMMENT PERIOD
ON LOS ALAMOS NATIONAL LABORATORY (LANL) DRAFT HAZARDOUS WASTE INCINERATOR
PERMIT

The Public Comment period for the joint NMEID/EPA RCRA permit has been extended to 8/24/89.

During the public hearing on July 18,19, and 20, comments on the State portion of the permit took longer than anticipated, so formal comments on the EPA portion of the draft permit have been rescheduled.

The EPA hearing will be held on August 7, 1989. The hearing will begin at 9:00 a.m. in the Auditorium of the Harold Runnels Bldg., 1190 St. Francis Drive, in Santa Fe.

Informal question and answer meetings for the public will be held with representatives of the EPA in Taos and Santa Fe, on August 2, 1989. The Taos meeting will begin at 10:00 a.m. in the Coronado Council Chamber at 120 Armory Street. The Santa Fe informational meeting will begin at 3:00 p.m. in the Santa Fe Main Library, 145 Washington Avenue.

The EPA portion of the Permit contains requirements for LANL to investigate and cleanup past disposal sites, to certify a program of waste minimization, and special studies to determine the extent of contamination.

For more information you may call Rich Mayer of the EPA Dallas office, at (214) 655-6775.

SANTA FE TODAY

Santa Fe has a slight chance of afternoon and evening thunder-showers. High in the upper 80s. More weather, page A-4. Dial 1-900-370-5266 for The New Mexican weather hotline (75 cents first minute, 50 cents a minute thereafter).



■ GALLERY TALK: "The Supreme Instant: The Photographs of Edward Weston," by Steve Yates, 12:15 p.m., Museum of Fine Arts, 307 W. Palace Ave. 827-4463.

■ OPERA: *Cherubin*. 9 p.m., Santa Fe Opera Theatre, \$12-\$65. Standing room at 8 p.m., \$5.

More events, Page A-4

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SANTA FE
NEW MEXICAN 7/19/89

LANL reveals \$1.96 billion cleanup plan

By PETER EICHSTAEDT
The New Mexican Staff

A nearly \$2 billion investigation and cleanup of buried waste — some possibly radioactive — at the Los Alamos National Laboratory was revealed Tuesday at a public hearing on a controversial lab incinerator.

The investigation and cleanup, to be supervised by the U.S. Environmental Protection Agency, could begin this year or early next year. LANL has more than 600 separate dumps where potentially dangerous chemical and radioactive waste is buried, said Steve Slater, an EPA spokesman.

"We know very little about what's out there and how hazardous it is," Slater said. The Energy Department will pay for the entire cleanup.

The sites are both on and off the laboratory grounds, he said. The cleanup could cost \$1.96 billion and will take at least eight years.

An EPA public hearing on the cleanup will immediately follow a

hearing that continues today on a state permit for the burning of hazardous chemicals in an incinerator. The EPA hearing also will be in the auditorium at the Harold Runnels building at the corner of St. Francis Drive and Cordova Road.

Slater said the cleanup of Los Alamos is part of the nationwide cleanup of Department of Energy sites such as Rocky Flats in Colorado and others, which could cost several hundred billion dollars.

The Los Alamos cleanup is unique in that it consists of many small sites of unknown contents, instead of one large site, Slater said.

Slater said the cleanup will be tied to the state-issued permit that will regulate the burning of hazardous materials at Los Alamos. Investigation of the dumps will begin 180 days after the state permit is issued, he said.

Slater said the Energy Department must find the 600 dumps, find out what is in them and decide how

See LANL on Page A-2 .

Rate of suicide



Edward Vidinghoff/The New Mexican

C. Kelly Crossman of the State Environmental Improvement Division and EID attorney Gini Nelson participate in Tuesday's public hearing.

LANL plans cleanup

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best to clean them up. The public will be able to comment on the process before any work is done, he said.

All stages of the cleanup will be supervised by the EPA, Slater said. Slater said one advantage to the Los Alamos site is that it is high on rock mesas that help prevent the contamination of ground water.

Slater said monitoring wells will be drilled to ensure that water is not contaminated.

Jim Breen, spokesman for the lab, said the sites have been under investigation for many years.

"It will take a considerable amount of money to comply with all of the current regulations as well as those in the future," Breen said.

Breen said that so far no major hazards have been found. "It's not a major hazard. Things over the years have been buried. It may require digging up and retrieval if there is any toxic or mixed-waste materials."

The public hearing on the Los Alamos incinerator got off to a shaky start on Tuesday.

The hearing began with numerous objections to the procedure because no one from LANL, which is seeking the permit, was available to answer questions.

Gini Nelson, an attorney with the State Environmental Improvement Division, which will regulate the burning of hazardous chemicals at the incinerator, said the state could not force LANL representatives to

additional printed information made available to the public at the hearing, together with media accounts and briefings to the Concerned Citizens for Nuclear Safety, was more than adequate to answer all questions concerning the new facility," Breen said.

Also, the hearing officials were criticized because the permit being discussed did not concern the burning of radioactive waste, but only hazardous chemicals.

C. Kelly Crossman of the EID said the state only had authority to issue a permit for the burning of non-radioactive wastes. The Energy Department regulates its own burning of radioactive materials, he said.

Under questioning, Crossman said the state also relies on the Energy Department to regulate itself and inform the state if any violations of the permit occur.

The state has only enough people to check on the operation of the incinerator once a year, he said.

Sen. Tom Rutherford, D-Albuquerque, said that if the EID did not have enough personnel to regulate the incinerator, then the agency should go to the Legislature and ask for more money.

Rutherford told the agency that "you have a mandate to move forward on the permit because of the pending changes at the Energy Department as the result of the wide-spread concern that has been expressed in the permit plans across the nation."

Dan Gibson, a spokesman for the



Elaine Giovando holds up her arm as she waits to ask a question at Monday's hearing. Joyce Laeser, lawyer for the U.S. Department of Energy, is in the foreground. SANTA FE - JOURNAL NORTH 7/18/89

Public Fights Back Over Incinerator

By Ben Neary

JOURNAL STAFF WRITER

A state hearing on a Los Alamos National Laboratory waste incinerator resumes today after a daylong hearing Tuesday on waste-handling at the lab left many in an audience of 200 frustrated and dissatisfied.

The U.S. Department of Energy is applying for state approval for all its hazardous-waste operations at the lab. However, the discussion Tuesday centered around the federal agency's plan to operate an incinerator at the lab to reduce the bulk of dangerous chemical and radioactive waste.

Many in the audience wanted to talk about radioactive waste. But C. Kelley Crossman, supervisor of the state's hazardous

day trying to explain in person — and through his lawyer — why the state isn't considering whether it's safe to burn radioactive material in the incinerator.

Crossman emphasized the state presently has legal authority from the federal government to consider only whether the incinerator meets federal standards for burning non-radioactive chemicals — or what regulations call simply hazardous waste.

The state lacks the legal authority to address whether the incinerator is safe to burn radioactive waste, he said.

After the state acts on the DOE's hazardous waste application, the U.S. Environmental Protection Agency intends to give



NEIL JACOBS / JOURNAL

Priscilla Logan, a Santa Fe teacher, expresses her concern with the U.S. Department of Energy's hazardous waste

Public Fighting Back Over Waste Incinerator

CONTINUED FROM PAGE 1

the state authority to consider another class of debris called "mixed waste," which is combined chemical and radioactive waste, Crossman said. However, the EPA will consider the strictly radioactive portion of the incinerator plan on its own.

Officials from the EPA office in Dallas will present their plan for huge cleanup of contaminated waste sites at the lab.

Steve Slaten, an EPA official at Tuesday's hearing, said Los Alamos National Laboratory is one of the Department of Energy's top 10 worst waste sites in the country. He said over 600 individual dumps have been identified so far and said the total cost for cleanup at Los Alamos could reach between \$1.6 billion and \$2 billion.

Slaten said it will take about eight years to investigate all the waste sites at Los Alamos and get federal approval to go ahead with cleanup work.

He said the sites involve radioactive waste, chemicals and other substances.

Much of the public comment Monday centered on whether the energy department is trying to pull a fast one by splitting responsibility for the incinerator project between state and federal watchdog agencies. Many in the crowd insisted on addressing the radiological portion of the incinerator plan — despite the fact the state doesn't have legal authority to consider it.

The audience's mood of distrust was heightened by the EID's meeting agenda, which showed that DOE officials did not intend to testify on their own application. The agenda called for DOE officials to cross-examine statements from audience members or by EID officials, but did not allow the public to cross-examine written statements the DOE proposed to submit to the hearing record.

Howard Shulman of Santa Fe, a member of the Concerned Citizens for Nuclear Safety group, questioned why the DOE was exempt from questioning.

Gini Nelson, a lawyer for the state Health and Environment Department who coached Crossman on many of his answers, responded the DOE has the same rights as a member of the public

unless the agency testified, she said, it wasn't subject to cross-examination.

Shulman responded, "They are a weapons research facility; they are not a part of the public."

Hearing officer Walt Youngblood, deputy director of the Public Health Division of state's Health and Environment Department, asked for a showing of how many people in the audience of perhaps 200 wanted an opportunity to cross-examine the lab. After most people in the room stood up, he estimated for the record that 90 percent of the audience wanted the lab to respond.

The DOE didn't submit its comments on Monday. The hearing is scheduled to reconvene at 8:30 a.m. today at the Harold Runnels Building auditorium in Santa Fe.

DOE lawyer Joyce Laeser said the agency decided not to testify because, "We've been working with the EID for a long time and we really have nothing to add." She also said the permit application is so broad that it would require the DOE to have dozens of experts on hand.

Youngblood said the purpose of Monday's hearing was to prepare a record of discussion so Richard Mitzelfelt, state EID director, can decide later whether to give final approval to the project.

Priscilla Logan, a Santa Fe teacher, responded, "One person? Not a board?" She asked whether the process was intended to be democratic or autocratic and said she wanted the hearing expanded to consider all aspects of the incinerator, "since we all have real questions, real doubt and mistrust of the DOE."

David Bates of Taos questioned how the state will verify information the DOE provides about the incinerator. Crossman replied that the state intends to inspect the incinerator once a year and has the option to do other verification sampling.

Tom Rutherford of Albuquerque, a Democratic state senator, mentioned recent federal investigations into energy department practices in Colorado and elsewhere. He told Crossman, "If for no other reason than that you don't have the budget to keep an eye on the DOE, given their past criminal acts, then that alone should be sufficient to deny this

