

Handwritten signature

August 3, 1989

Handwritten signature: Kelley

New Mexico Health and Environment Dept.
Environmental Improvement Division
Hazardous Waste Program
Santa Fe, New Mexico

Dear Mr. Youngblood,

I would like to begin by thanking you for holding the public comment period open until August ~~24~~²⁴. This ensures that the public will have time to review the recently submitted comments on the incineration permit by Los Alamos National Labs.

The concerned citizens of New Mexico are very happy about the recently passed amendment introduced by Bill Richardson in the House for a 1 year moratorium on burning at Los Alamos. Apparently Mr. Richardson is as alarmed as I was about the non-existent regulations and standards for the burning of hazardous chemical and nuclear waste in New Mexico.

After attending the July 18 & 19 hearings in Santa Fe and reading the comments of the DOE and the University of California regents on the permit, I would have to surmise that Los Alamos National Laboratories has special status, in that they:

1. They continue to burn without a permit under RCRA interim status.
2. They are not subject to permit fees.
3. Expect to remain free from questions and cross examination.
4. Test for levels of only carbon monoxide and oxygen, with no testing for hazardous emissions such as plutonium, PCB's and dioxins.
5. Under the Atomic Energy Act, there is no independent monitoring for Los Alamos. They are apparently self-regulating, as is the Dept. of Energy.
6. LANL does not have regular inspections. EID inspects LANL only once a year; as does the regional EPA office in Dallas.

Furthermore, the comments submitted by Los Alamos were submitted only a few minutes before public testimony at the July 18 & 19 hearings in Santa Fe. Clearly insufficient time to be reviewed, commented on or read carefully.

Many of the most important pages in the LANL document are illegible, specifically; beginning with Exhibit 3 - pages D3- thru D-42 - concerning emergency procedures and accidental releases. There is also insufficient information on ash testing and disposal; leaving open the possibility of landfill dumping. Los Alamos must be held accountable for it's actions. (See Journal North, Aug. 3, 89 - "EPA Triples Number of LANL Waste Sites").

Handwritten mark



Handwritten mark

8/3/89

Los Alamos Incineration Permit

The permit process and the permit itself do not meet any environmental criteria for incineration, reclamation, or dumping. We still do not know where ash is ^{or} goes.


Also questionable is the omission of the possibility of human error by choosing to put one person (LEDO) in charge of assessing and controlling emergency situations at LANL.

In general, the standards and regulations on the federal, state and county levels are not adequate to ensure safety to the public and the ESD has no power to enforce any existing regulations.

In further regards to self-regulation, it states in Module U99, Section U99 1.2. that there is no authority for the ESD to include compliance with requirements for the Federal Clean Air Act and the New Mexico Air Quality Control Act due to penalties that LANL would be subject to under both acts.

The self regulation exhibited in the past by the DOE at Rocky Flats and other nuclear sites is unacceptable. There must be a non-partisan committee to see that health and safety is assured.

I sincerely hope that the input, concerns and comments of concerned citizens will be considered.

Sincerely,

Barbara Jaramillo Bircheff
Lamy, N.M. 87540

cc: William Reilly, EPA Director
Governor Jerry Carruthers
Rep. Bill Richardson
Mr. James Watkins