

TESTIMONY PRESENTED TO U.S. EPA BY ROBERT VOCKE, PH.D.
REPRESENTING LOS ALAMOS NATIONAL LABORATORY
DURING PUBLIC REVIEW OF THE LABORATORY'S RCRA PERMIT

(AUGUST 7, 1989)

ENVIRONMENTAL RESTORATION PROGRAM
LOS ALAMOS NATIONAL LABORATORY

The Laboratory will meet requirements of the RCRA permit. -- Los Alamos National Laboratory and the Department of Energy (DOE) are committed to continuing to work with the State of New Mexico Environmental Improvement Division (NMEID) and the U.S. Environmental Protection Agency (EPA) to meet Laboratory requirements under the Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA).

The Laboratory and the DOE initiated HSWA-related activities in 1984. -- In the field of environmental protection, past practices can cause present concerns. Los Alamos National Laboratory was evaluated under Phase 1 of the DOE Comprehensive Environmental Assessment and Response Program (CEARP), which was initiated in 1984. A major CEARP objective was to determine whether waste disposal practices followed in the past - before recognition of environmental hazards and passage of extensive environmental legislation -- resulted in environmental concerns that require remedial action today.

The CEARP Phase 1 report documented DOE and Laboratory preliminary assessment and site inspection activities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or "Superfund" and preliminary activities under RCRA. The CEARP Phase 1 report is a public document and was distributed to NMEID and EPA during October 1987.

Potential hazardous and radioactive waste sites, which are referred to as potential release sites, identified during CEARP Phase 1 included managed material disposal areas, several canyon areas, older facilities (including several decommissioned facilities), and areas that have received waste discharges from past Laboratory operations.

Identification of potential release sites was only the beginning of a complex process. -- Next came the process of implementing CEARP Phase 2 (site characterization) and CEARP Phase 3 (remedial alternatives analysis) to fulfill the Laboratory's and DOE's obligations under RCRA and CERCLA. Prior to initiation of CEARP Phases 2 and 3, potential release sites were ranked according to (1) contamination levels related to possible exposure of on-site personnel or the public, (2) potential for off-site migration of contaminants, and (3) environmental regulatory compliance concerns to determine investigation priorities. **None of the potential release sites at the Laboratory pose public health risk under current conditions and none is proposed for the Superfund National Priorities List.**



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As CEARP Phase 2 was being implemented, CEARP was replaced by the DOE-wide Environmental Restoration (ER) Program in 1988. Although the two programs differ somewhat in scope, the intent to fulfill the Laboratory's and DOE's obligations under CERCLA and RCRA for assessment and remediation of potential hazardous waste sites has not changed. The Laboratory and DOE have continued to investigate potential release sites to fulfill obligations under RCRA and CERCLA.

The NMEID and EPA plan to act on the RCRA operating permit for the Laboratory during November 1989. The RCRA permit will require the Laboratory to follow procedural requirements set forth in the HSWA portion of the permit for assessing and remediating potential release sites, which meet the definition of solid waste management units (SWMUs). The EPA has currently identified approximately 600 potential SWMUs requiring further corrective action investigation based on EPA site inspections and review of documents prepared by the Laboratory.

The 600 SWMUs identified by EPA are a subset of the approximately 1100 SWMUs identified by the Laboratory. -- The Laboratory submitted to EPA and NMEID Laboratory's listing of SWMUs in a December 1988 SWMU Report. Just because a unit is identified as a SWMU does not indicate that corrective action is required. Many SWMUs are operated in conformance with regulations without corrective action. Additionally, SWMUs in many cases do not contain hazardous wastes and are not subject to corrective action requirements (e.g., recycling units, container storage areas, and solid waste landfills). Potential SWMUs requiring corrective action investigation range from septic tanks to managed material disposal areas. Additionally, it is anticipated that many of the sites will be delisted by the regulating agency during the investigation process because they do not exist or are not of environmental concern. Given the uncertainty of potential site remediation requirements, projected costs for completing remedial activities currently varies from approximately 0.5 to 2 billion dollars.

The HSWA corrective action process involves regulatory approval and public review and comment. -- Most of the SWMUs identified by EPA in the HSWA part of the permit are already included in the DOE ER Program. Therefore, the Laboratory and DOE plan to modify procedural requirements within the ongoing ER Program to achieve obligations under the RCRA operating permit when it is issued. This includes continued approval and oversight by the regulating agency and public review and comment, as appropriate, during RCRA facility investigation activities (site characterization activities), corrective measures studies (selection of the most appropriate remedial alternative), and corrective measures implementation (remedial action). The Laboratory and DOE will also comply with requirements of the National Environmental Policy Act.

The complex process of assessment and remediation of all sites may require another 20 to 30 years. -- Continued environmental surveillance at the Laboratory will ensure that none of the potential release sites pose an unacceptable public health risk during this process. Results of the environmental surveillance program are made available to the public by issuing an annual surveillance report.