

**Kieling, John, NMENV**

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**From:** Joan Brown,osf [joankansas@swcp.com]  
**Sent:** Tuesday, October 25, 2011 10:15 AM  
**To:** Kieling, John, NMENV  
**Subject:** public comment

John E. Kieling, Acting Hazardous Waste Bureau Chief  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303

**Re:** Request for NMED to Deny Permit Modification Request for Proposed Transuranic Waste Facility at Los Alamos National Laboratory

Dear Mr. Kieling:

Although I am a few hours late in submitting this, I do hope that it will be entered into the records. It is very difficult for ordinary citizens who are concerned about the common good of the state to keep up with all that continues to happen in LANL that affects the state for well beyond the future. There are enormous moral and ethical implications to the proposed Transuranic Waste Facility, especially in light of climate change and the fragility of our water sheds in this desert region prone to more and more fires and the recent increased earthquake and seismic activities in our region.

I am opposed to the proposed Transuranic Waste Facility (TRUWF) Class 2 permit modification request from Los Alamos National Laboratory (LANL). **I respectfully request that the New Mexico Environment Department (NMED) deny the permit modification request. If the NMED does not deny the permit modification request, then NMED must determine that the LANL request is a Class 3 permit modification, which allows for additional public comment and opportunity to request a public hearing.** In 2007, LANL submitted a similar modification request as a Class 3. That request was subsequently withdrawn.

1. The modification request does not protect human health and the environment and must be denied. The proposed TRUWF could handle extremely large amounts of radioactive and hazardous transuranic waste for several decades and become a *de facto* permanent TRU waste facility. The modification request states: "LANL must have a continuing capability to process transuranic (TRU) waste and to ship that waste to the Waste Isolation Pilot Plant (WIPP) near Carlsbad, New Mexico." TRUWF PMR, Pg. 1.

The TRUWF is planned to operate until at least 2046 for future waste to be generated by nuclear weapons research, development and manufacturing at LANL. The only disposal site for TRU waste is WIPP, which pursuant to the NMED hazardous waste permit, ceases operations by September of 2030. Thus the TRUWF would operate for 16 years after WIPP closes, which means that the plutonium-contaminated waste would likely remain at the proposed LANL TRUWF in perpetuity.



The modification request describes no disposal facility for the TRU waste other than WIPP, and the Department of Energy has made no plans for any other TRU repository. **NMED should deny the permit modification request because there is no disposal site for the transuranic waste to be stored at the proposed TRUWF after WIPP closes in 2030.**

2. LANL must continue to focus on cleanup of legacy Cold War waste. The TRUWF will not manage the already buried waste, which is contaminating soils and migrating to surface and ground water.

And since 1999, LANL has sent only 875 shipments of TRU waste to WIPP, which is fewer than 10% of all of the shipments. The fabric storage tents used for transuranic wastes at Area G have not been maintained; the fabric tents are ripped; the tents are open to the air and do not contain air monitoring equipment to determine releases of contaminants.

Two recent wildfires – the Cerro Grande and Las Conchas – have threatened the Area G disposal and storage area, human health and the environment. Both times fire fighting resources were devoted to protect the 40,000 plus drums of transuranic waste to the detriment of the Rio Grande watershed. Recovery has been slow and will be a lengthy process that could take decades, if not centuries.

**I do not want any more waste storage at LANL. The record is clear: LANL waste storage threatens human health and the environment. Please deny the permit modification request for the proposed Transuranic Waste Facility at LANL. If the permit modification request is approved, it must be a Class 3 modification that allows for public comment and the opportunity to request a public hearing. In that case, I request a public hearing.**

Sincerely,

Sister Joan Brown,osf

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