

Kieling, John, NMENV

From: Joni Arends [jarends@nuclearactive.org]
Sent: Thursday, July 19, 2007 5:57 PM
To: Kieling, John, NMENV
Cc: Dave McCoy; Rhgilkeson@aol.com
Subject: Request for Extension of Time for SNL CWL

John Kieling, Program Manager
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg. 1
Santa Fe, New Mexico 87505-6303

Dear Mr. Kieling:

Concerned Citizens for Nuclear Safety (CCNS) requests that the New Mexico Environment Department (NMED) grant a 90-day extension for public comments and to request a public hearing for the Chemical Waste Landfill (CWL) at Sandia National Laboratories (SNL).

Unfortunately, the full administrative record has not been made available for review in this matter. Further, there are basically three procedural matters simultaneously under consideration by the NMED. Due process under both New Mexico Administrative Code (NMAC) and the Resource Conservation and Recovery Act (RCRA) require that adequate public review be allowed with the benefit of the full administrative record, which should be made available from the beginning of the comment period.

A preliminary review, without the benefit of the administrative record, reveals serious concerns for how the CWL is to be closed:

- * There are complex technical issues described in tens of thousands of pages in the administrative record alone that need to be available for public review.
- * The current groundwater well monitoring system is not adequate to meet the state and federal requirements, as well as Department of Energy orders, for a reliable well monitoring network.
- * The relationship between the SNL site-wide RCRA Permit and the closure of the Chemical Waste landfill needs to be clarified. The draft RCRA permit is scheduled to be released for public comment next month. In order to make informed comments, the public should be allowed to simultaneously review and make comment about both.
- * Consideration of the cumulative risk from SNL disposal operations, such as from the Mixed Waste Landfill (MWL), the Chemical Waste Landfill and other sites at SNL, must be done.
- * The closure of the Chemical Waste Landfill should be consistent with the closure of other interim status landfills, such as the Mixed Waste Landfill. For example, the MWL requires an evapo-transpiration cover that may be more protective than the at grade cover proposed for the CWL.
- * Wind and water erosion that can effect the cover of the CWL and release backfill that is contaminated with heavy metals, radionuclides and solvents.
- * Public and environmental risk assessment may not have accounted for vapor phase plumes, storm water run-off and cancer risks.

In addition to the extended 90-day comment period and opportunity to request a public hearing, CCNS requests that the NMED refrain from issuing any post-closure permit until a RCRA compliant well monitoring system has been installed at the CWL.

Please contact me should you have any comments or questions.

Sincerely,

Joni Arends, Executive Director
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7/24/2007

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