

**Kieling, John, NMENV**

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**From:** Robert Liberatore [radixdiaboli@gmail.com]  
**Sent:** Friday, July 20, 2007 3:14 PM  
**To:** Kieling, John, NMENV  
**Subject:** Request for extension of comments regarding Chemical Waste

Dear Mr. Kieling,

This letter is to request that the New Mexico Environment Department (NMED) grant a 90 day extension for public comments and a public hearing for the Chemical Waste Landfill (CWL) at Sandia National Laboratories. The full Administrative Record has not been made available for review in this matter. There are basically three procedural matters simultaneously under consideration by the NMED. Due Process under both NMAC and the Resource Conservation and Recovery Act require that adequate public review be allowed with the benefit of the full Administrative Record being 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 involving tens of thousands of pages in the Administrative Record alone that need to be available for review.

-The fact sheet issued by the New Mexico Environment Department lacks clarity regarding many issues.

-The current groundwater well monitoring system is not adequate to meet the state and federal requirements for a well monitoring network.

-The relationship between the full Sandia sitewide Resource Conservation and Recovery Act Permit and the closure of the Chemical Waste landfill needs to be clarified.

-There is a cumulative risk from disposal operations such as the Mixed Waste Landfill (MWL), the Chemical Waste Landfill and other sites at Sandia that should be considered.

-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, radio nuclides 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 comment period, I request that the NMED not issue any post-closure permit until a RCRA compliant well monitoring system has been installed at the CWL.

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Robert Liberatore

7/24/2007

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