

From: [Dhawan, Neelam, ENV](#)
To: [Joni Arends](#)
Cc: [Briley, Siona, ENV](#)
Subject: RE: [EXTERNAL] CCNS Comments re: Public Notice No. 22-04: Rev. 32.0 to LANL Proposed STP
Date: Monday, June 27, 2022 2:13:40 PM

Joni

Since 25th was a Saturday, NMED has accepted your additional comments.

Thanks

Neelam Dhawan

LANL Group Manager

Hazardous Waste Bureau

New Mexico Environment Department

505-690-5469

(pronoun-she, her) why: <https://www.mypronouns.org/what-and-why>

From: Joni Arends <jarends@nuclearactive.org>
Sent: Monday, June 27, 2022 2:02 PM
To: Dhawan, Neelam, ENV <neelam.dhawan@state.nm.us>
Subject: [EXTERNAL] CCNS Comments re: Public Notice No. 22-04: Rev. 32.0 to LANL Proposed STP

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Good afternoon, Neelam,

CCNS has some additional comments about the Public Notice No. 22-04. I was working on these comments during the afternoon of Saturday, June 25, 2022 when a huge clap of thunder and lightning struck the area. The power was out for hours.

20.1.4.100.F(1) states: "Computation: In computing any period of time prescribed or allowed by this Part, by any applicable statute, or by order of the Hearing Officer or Secretary, except as otherwise specifically provided, the day of the event from which the designated period begins to run shall not be included. The last day of the computed period shall be included, **unless it is a Saturday**, Sunday, or legal state holiday, in which event the time is extended until the end of the next day **which is not a Saturday**, Sunday, or legal state holiday."

As the regulations state, CCNS's additional comments must be considered timely. Please kindly confirm receipt of the CCNS timely comments.

CCNS Comments:

1. We note there were many formatting issues and omission of pages in the proposal. A closer examination reveals the Respondents' LANL FFCO Annual STP Update for FY 2021, Rev. 32.0 (EM2022-0041 March 2022) pdf did not include all of the pages. The document CCNS downloaded ended on p. 64, with Table I-23. The Table of Contents indicate that there should have been two more pages to the downloaded Appendix I. Appendix J and the References were omitted from the pdf.

The Respondents have not used consistent language for the Table titles. Using inconsistent titles creates confusion.

2. Part I *Background Update*. Does the public have access to the Waste Compliance and Tracking System (WCATS)? If not, why?

3. Section 2.2 *Mixed Transuranic Inventory Summary*. The Respondents do not adequately explain why the 3706 m3 Framework Agreement waste is no longer reported in Table E-1, but is reported in Table E-3. The language used by Respondents reads more like inside baseball talk. For transparency, a clearer explanation is required. *See also* Table G-3, p. 57 of pdf.

It is not clear why Respondents "may correct database entries so that waste items not previously listed as STP waste are now identified and included as STP waste." p. 4. Where are those corrections clearly documented in the STP?

Further, it is not clear why footnote (a) was deleted. p. 5. Section 7.0 *WIPP Facility Capabilities*.

More explanation is needed to explain when 85-gallon overpacks are used. Respondents state that removal of the overpacks decrease the waste volume, but do not describe where the 85-gallon overpacks are disposed. p. 5.

4. Section 3.0 *Treatment Progress*. It is irresponsible for the Respondents not to conduct treatability studies. Sections 3.1, 3.2, 3.3, 3.4, 3.5. p. 6.

Section 4.1 reveals that the "Respondents continue to monitor the development of potential treatment technologies that may become in the future." Respondents then state that "[s]ome of these technologies are being development at LANL and at other sites." But Respondents do not describe those technologies.

CCNS refers the Department and the Respondents to the January 3, 2021 *LANL Response to Supplemental Information Request Fiscal Year 2020 Status Update for Non-Conformance Report (NCR) Containers, EPA ID#NM0890010515*. ESHID-603639. It appears that Respondents have not prioritized conducting treatability studies to address the waste listed in Enclosures 1 [Supplemental Information Request FY 2020 Status Update for Non-Conformance Report (NCR) Containers, NA-LA/Triad, EPC-DO-21-166; LA-UR-21-24492] and Enclosure 2 [Annual NCR Report for Containers That Did Not Meet BoK, FY2020]. **Some of the containers have been listed in the enclosures since 1980 - for over 40 years!**

It is clearly time for the Respondents to conduct treatability studies to address the complexity of discovering what is inside the waste drums and how to treat them.

5. CCNS remains concerned about the Respondents' plan to vent the Flanged Tritium Waste Containers (FTWC) stored at TA-54 for reasons of public health and safety. The Respondents

have not provided their reasons why the containers cannot remain in place so that the tritium may continue to decay. They have not provided information about how long the containers have been stored; how long it will take for the tritium to fully decay; and when it would be possible to move the containers without having to vent them.

Thank you for your careful consideration of CCNS's comments.

Sincerely,

Joni Arends, Executive Director
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