

Ms. Neelam Dhawan

NMED – Hazardous Waste Bureau

2905 Rodeo Park East, Building 1

Santa Fe, NM 87505-6313

Re: Public Comment about Class 2 Amendment to Closure Plan Open Burning Treatment Unit 16-399 at Los Alamos National Laboratory

Dear Ms. Dhawan:

Please accept these public comments from Concerned Citizens for Nuclear Safety (CCNS) for the Closure Plan for Open Burning Treatment Unit 16-399 at Los Alamos National Laboratory (LANL). EPC-DO-22-145, LA-UR-22-24719. CCNS has been involved in ensuring clean closure of TA-16-399 since the mid-2000s.

The Permittees are required to submit a Class 2 permit modification to an approved closure plan because unexpected events occurred during partial or final closure. 40 C.F.R. § 270.42, Appendix I, Item D.1.e. The Permittees found contaminant concentrations of explosives compounds (e.g., 4-amino, 2,6-dinitrotoluene), barium, and dioxins/furans above a human health risk indicated hazard index (HI) target level of 1 established by the New Mexico Environment Department – Hazardous Waste Bureau (NMED-HWB).

Because high explosives contain PFASs, CCNS urges the Hazardous Waste Bureau, in order to ensure clean and efficient closure of this site in a timely manner, to include proactive methodical requirements in the amended Closure Plan for sampling for PFASs in the waste piles, surface, ground and storm water, as well

as soils in the drainages from the TA-16-399 Burn Tray to Water Canyon. (Fig. 5), p. 31.

Similar to the concentration found for explosive compounds, barium and dioxins/furans, CCNS anticipates that PFASs sampling results will also result in contaminant concentrations above a human health risk indicated HI target level of 1 established by the NMED-HWB. The PFAS sampling should be done in conjunction with the Environmental Protection Agency (EPA) recent more protective levels in PFASs levels to parts per quadrillion (ppq) and New Mexico's recent Triennial Review of New Mexico's Water Standards.

The Permittees have included a reference to a footnote "a" following the title for Table 2. But there is no footnote "a" on page iv.

The Permittees estimate that 15,000 ft<sup>3</sup> of soil may need to be removed. P. 6. The Permittees state that that "concentrations measured in samples at a depth of 12 inches will be utilized to inform excavation decisions and field screening during excavation planning." P. 8.

CCNS urges the NMED-HWB to clarify the language specifically for the waste piles. The waste piles could be taller than 12 inches. In that case additional requirements should be included to ensure uniformity across sampling events for any taller piles.

CCNS urges the NMED-HWB to explore the use of bioremediation to address the contamination. The Communities for Clean Water (CCW) has been working on bioremediation projects in New Mexico. CCW would appreciate the opportunity to talk with the Bureau about that work and the possibilities of the use of bioremediation for removing the contamination as an alternative to "scoop and move."

CCNS is concerned about the proposed delays in making sampling locations, etc. available to the public until the Closure Certification Report is submitted to the NMED-HWB. P. 9. CCNS requests that the NMED-HWB require an interim sampling report from the Permittees that is posted in the Electronic Public Reading Room. (Sec. 10), p. 14.

Thank you for your careful consideration of our comments. Please contact us with any questions, comments or concerns about our comments, including any problems locating any references and/or cites in the Permittees' request.

Sincerely,

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Joni Arends, Executive Director  
Concerned Citizens for Nuclear Safety  
P. O. Box 31147  
Santa Fe, NM 87594-1147  
505 986-1973  
[www.nuclearactive.org](http://www.nuclearactive.org)