

September 21, 2007

By email to: [gtcceis@anl.gov](mailto:gtcceis@anl.gov)

Mr. James Joyce  
Document Manager  
Office of Regulatory Compliance (EM-10)  
U.S. Department of Energy  
1000 Independence Avenue, SW.  
Washington, DC 20585-0119

Re: Response to Notice of Intent to Prepare an Environmental Impact Statement for  
the Disposal of Greater-Than-Class-C Low-Level Radioactive Waste  
72 Federal Register 40135

Dear Mr. Joyce:

Concerned Citizens for Nuclear Safety (CCNS) make the following scoping comments for the Disposal of Greater-Than-Class-C Environmental Impact Statement (GTCC EIS).

**1. The Department of Energy (DOE) must consider the Hardened On-Site Storage (HOSS) Alternative.** Congress told DOE to address the disposal of GTCC over two decades ago. Now that the public has the opportunity to provide comments, CCNS strongly urges DOE to analysis for HOSS. For more information about HOSS, please see the website of the Institute for Energy and Environmental Research (IEER) at [www.ieer.org](http://www.ieer.org).

**2. The DOE must address the problems with the current storage of GTCC waste at Los Alamos National Laboratory (LANL).** Whether within the GTCC National Environmental Policy Act process, or without, the issues surrounding the current storage of GTCC waste at LANL must be addressed. Currently, thousands of GTCC sealed sources are stored in containers in fabric tents at Technical Area 54 (TA-54). Over 12 years ago, these tents were set-up to store retrieved buried transuranic waste. The tents are located in a major wildfire area (witness the May 2000 Cerro Grande fire) and have not been properly maintained. For example, flame retardant has not been reapplied and the tents are ripped.

DOE must make applying flame retardant to the tents a priority, as other required maintenance as noted by the Defense Nuclear Facility Safety Board. [www.dnfsb.gov](http://www.dnfsb.gov). CCNS urgently requests that DOE prohibit the shipment of new sealed sources for storage at LANL until the necessary maintenance is completed on the fabric storage tents. In the alternative, all sealed sources must be stored in buildings.

**3. LANL should not be considered for the burial of GTCC waste.** There is currently over 18 million cubic feet of radioactive, toxic and hazardous waste buried at LANL. The LANL waste is buried in unlined pits, trenches and shafts in volcanic tuff. Liquid radioactive, toxic and hazardous waste is discharged into the canyon systems, which flow to the Rio Grande.

Recently, plutonium-238 has been reported in one of Santa Fe's drinking water wells. City of Santa Fe Water Division 2006 Water Quality Report. The New Mexico Environment Department (NMED) has reported plutonium in soils north of Santa Fe's drinking water wells.

[http://www.nmenv.state.nm.us/doe\\_oversight/data/publications/Distribution%20of%20Radionuclides%20FINAL.pdf](http://www.nmenv.state.nm.us/doe_oversight/data/publications/Distribution%20of%20Radionuclides%20FINAL.pdf)

In June 2006, DOE reported contaminants in the Los Alamos County and City of Santa Fe drinking water wells. Appendix F *Environmental Sample Data* of the draft 2006 Site-Wide Environmental Impact Statement for LANL. Further, although it is common knowledge that radionuclides are transported in groundwater on colloids, DOE stated that "[t]he role of colloids in transport of contaminants at LANL is largely unknown and uninvestigated." *Id.*, p. E-27.

LANL does not have the necessary groundwater monitoring network as required by DOE Order 450.1, which mandates such a network be in place by December 31, 2005.

Further, in June 2007, the National Academy of Sciences stated, "[m]any if not all of the wells drilled into the regional aquifer appear to be compromised in their ability to produce water samples that are representative of ambient groundwater for the purpose of monitoring." *Plans and Practices of the Groundwater Protection at the LANL*, p. 79. At the June 8, 2007 press conference releasing the report, the chair of the NAS panel, Larry Lake, stated that based on the information at hand, the only cleanup option at LANL was excavation.

Given the facts that contaminants have been transported off-site, that LANL has not done the necessary work to investigate the role of colloid transport, that LANL does not have the required groundwater monitoring program and that the regional aquifer wells cannot provide reliable and representative samples as required by the Resource Conservation and Recovery Act (RCRA), no new waste should be considered for burial at LANL.

**4. The Waste Isolation Pilot Plant (WIPP) should not be considered for the disposal of GTCC waste.** The agreement between DOE and the people of the State of New Mexico limited the type and volume of waste for disposal at WIPP to defense related transuranic waste. DOE must uphold its part of the bargain. DOE must

withdraw any proposal for expanding the type and volume of waste for disposal at WIPP.

Thank you for your careful consideration of our comments. Should you require additional information or have any questions, please contact me.

Sincerely,

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