

ACTION: Sign and Send This Letter

To: Elena Espada, CA Department of Toxic Substances Control, Project Manager, 700 Heinz Avenue, Berkeley, CA 94710 or via email to Elena.Espada@DTSC.ca.gov

Re: My Comments on DTSC's Draft Revised Hazardous Waste Facility Permit for Lawrence Livermore National Laboratory (LLNL)

- The revised permit is said to include the following general conditions: "DTSC's authority to revoke or suspend the permit or suspend the facility operation for cause; a limitation of liability clause for the State of California/ DTSC; and a severability clause." It would be useful for the public to understand the DTSC's interpretation of what might constitute "cause." Is this general condition the same for all DTSC regulated facilities, or is this condition different for LLNL?

- The permit allows LLNL to store 913,270 gallons of hazardous waste. However, it was stated that this cap does not include the waste stored in 90-day waste accumulation areas. Why not? I request that DTSC include the hazardous waste stored in the 90-day waste accumulation areas in the total cap.

- Why are the 90-day hazardous waste accumulation areas not included in the DTSC's authority when they contain hazardous waste that should be regulated? Can the DTSC explain to the public in the permit the regulations that will govern the waste as it sits in these "waste parking lots" for 90 days to ensure that the public is safe?

- At what point are the hazardous wastes accumulated in the waste accumulation areas reported to DTSC? How does DTSC plan to ensure compliance?

- The permit notes that there are nine "closure units" in the LLNL areas 612 and 614 that the Lab will transform into new "90-day Waste Generator Accumulation Units." Will these nine new waste accumulation areas be added to existing waste accumulation units, or are some of the existing 90-day waste generation units being closed? How many waste accumulation units will there be at LLNL?

- Page 6 of the "Health Risk Assessment" (HRA) supplement (created by LLNL) states that the "Macroencapsulation Unit" has no emission, since the treatment operations consist of sealing a container of waste either by welding a polyethylene lid to the body of a container." What about welding fumes from melting the lid?

- The Health Risk Assessment air analysis did not use the new housing (constructed in the last 5 years) located on Flurry Drive near Vasco Rd. and Brisa St. as a specific point to analyze health impacts. Can DTSC explain why? As high density housing moves closer and closer to the Northern boundary of LLNL (and closer to the Hazardous Waste Treatment Facility) over the next decade, will the DTSC review the air impact analysis to take into account these newly affected populations?

- According to the Health Risk Assessment, "To determine risk in this Supplemental Analysis, rather than using the SCREEN3 air quality dispersion model, LLNL used the U.S. EPA preferred air dispersion model, AERMOD, based on site-specific terrain and land-cover data, and three years of on-site meteorological data. Consequently, from the AERMOD model results, LLNL found much lower concentration numbers for both on- and off-site receptors, compared to concentrations found

in 2010 using the SCREEN3 estimating tool.” Page 7 of HRA. Why not include that data from both models? It is now comparing apples and oranges. It is acknowledged that if the SCREEN3 estimating tool was utilized using the data from the current estimated emissions, the results would have been higher than in 2010, but we do not know how much higher.

- The Health Risk Assessment acknowledged that LLNL’s waste treatment facilities will deal with at least 176 “new or rare chemicals” that have “little to no research regarding toxicity that is available to the public.” It goes on to acknowledge that some of these chemicals “interact with the carbon filter differently than others, giving the possibility of a higher percent released.” The HRA then summarily concludes that any health risk posed by these novel chemicals should fall within the “conservative” analysis provided by the Lab in regards to known chemicals of concern (COC). This approach is presumptive and dangerous and I request that the DTSC require the Lab to do the research necessary to understand the health impacts of every one of these “new and rare” COC’s to the extent necessary to analyze the impact of Hazardous Waste Treatment Facility (HWTF) operations with these chemicals, rather than rely on extrapolation. Any COC that does has not been studies enough to analyze its particular health impacts should not be treated at the LLNL Hazardous Waste Treatment Facility.

- The Health Risk Assessment states that, “LLNL did not examine possible synergistic chemical effects in estimating risk, because very limited information is available for that analysis.” If the synergistic chemical effects are unknown then the COC’s should not be comingled and should not be treated together. Additionally, the DTSC should require LLNL to conduct studies of the synergistic health effects that the COC’s it utilizes in its work may cause before providing a permit to treat those COC’s that may comeingle in the environment upon release from LLNL’s Hazardous Waste Treatment Facility stacks.

- More detail as to the health impacts of an accident or intentional act at the DWTF would be useful to the public. Especially analysis that included the impact that could result from dispersal of the 176 novel and rare COC’s and the potential for synergistic effects that compound the health impacts.

In conclusion, I appreciate the opportunity to comment on the LLNL hazardous waste permit. I note that LLNL is a federal Superfund site with a history of leaks, spills and accidents with hazardous materials. LLNL’s record of environmental pollution and its continuing activities to develop new and modified nuclear weapons require DTSC to regulate LLNL to the maximum extent provided by law.

Additional Comments:

Full Name/Signed:

Street Address/Email Address: