

Please Sign & Send Before July 1, 2016

Ask the CA Dept. of Toxic Substances Control to protect our communities!

Mr. Alejandro Galdamez
Project Manager
DTSC Office of Permitting
700 Heinz Avenue, Suite 300
Berkeley, CA 94710
Alejandro.Galdamez@dtsc.ca.gov

Re: Comments on the LLNL Site 300 Draft Permit Renewal and Draft Negative Declaration

Dear Mr. Galdamez:

I am writing to submit the following comments on the draft Hazardous Waste Facility Permit Renewal and draft Negative Declaration for the three hazardous and explosives waste facilities at Lawrence Livermore National Laboratory's Site 300. The California Department of Toxic Substances Control (DTSC) based its tentative finding that no impact to the environment would result from Site 300's hazardous waste operations on an inadequate California Environmental Quality Act (CEQA) document, the "Environmental Document Analysis/Checklist." It is inadequate for the following reasons:

First, the CEQA document concludes that the treatment of explosive waste by controlled open burn or detonation will not expose sensitive receptors, (like children, seniors, pregnant women, endangered species, etc...) to substantial pollutant concentrations. However, this appears to be based on a 2007 Human Health and Ecological Risk Assessment of the Site. That document presumably does not take into consideration the fact the City of Tracy has certified the EIR and given approval for the 5500 home Tracy Hills project located about one mile from the permitted areas at Site 300. This housing project is expected to be built out during the permit period, which will place significant numbers of "sensitive receptors" much closer to the site than previously anticipated. The CEQA document needs to take into consideration this new population in all aspects, especially in respect to air quality and noise. Additionally, please make public the October 2007 Human Health and Ecological Risk Assessment for Site 300 referred to in the CEQA document and the Soil Sampling document.

Second, treatment of explosives waste via open burn/open detonation converts the waste to gases and ash and creates an impact on air quality. These treatment facilities meet the definition of a hazardous waste incinerator under California law and should be regulated as such. Why doesn't the DTSC consider these treatment facilities hazardous waste incinerators? The DTSC should require that environmental impacts of these Hazardous Waste Incinerators be analyzed via a full Environmental Impact Report (EIR).

Third, the CEQA document acknowledges that Site 300 is a radioactive and/or mixed waste generator, then it makes the claim that the Site 300 is not authorized to "manage" radioactive and/or mixed waste in permitted areas. However, if Site 300 generates mixed waste, which is regulated by the DTSC, from programmatic or cleanup activities, then that waste must remain onsite at Site 300 for some period in some waste accumulation area until it is shipped to LLNL Mainsite for further storage and treatment. Why is this waste not regulated by the DTSC at Site 300 as part of this permit?

Fourth, the seismic hazards in this area have been updated and an earthquake or strong seismic event is more likely than previously thought, and could seriously impact the permitted facilities. These potential impacts need to be more thoroughly analyzed and based on updated seismic science in a full EIR.

Fifth, continued operation of the facilities may substantially degrade water quality. A mishap at the facilities—whether the result of accident, oversight, mechanical failure, or failure to comply with applicable regulations—may result in impacts to both ground and surface waters. Given Livermore Lab’s long and detailed history of such mishaps, an incident of this nature is to be expected.

Sixth, the permit will allow an increase in the liquid storage capacity at the Building B883 Container Storage Area from 3,300 to 5,500 gallons—a 67% increase— without any justification of need to support this increase. Site 300 is required to have a hazardous waste reduction plan in place, however this huge increase in allowable waste storage capacity does not encourage the site to reduce its hazardous waste generation or comport with the requirement that waste be reduced. In fact, it does just the opposite. Is there a Hazardous Waste Reduction plan in place for Site 300? If so, why is DTSC allowing this increase? Due to Site 300’s increased proximity to the public that is expected as the Tracy Hills development is built out over the next decade, I urge the DTSC to DECREASE the allowable liquid storage capacity at the Building B883 Container Storage area by 25% or more to protect public health and reduce the site’s hazardous waste generation.

Seventh, the analysis is also lacking as to whether project activities would create a significant hazard to the public or the environment through reasonably foreseeable intentional, naturally occurring or accidental release of hazardous materials into the environment from Site 300. While adherence to safety policies and design specifications is likely to minimize such risk, the hazard is nonetheless real and should be analyzed. The referenced hazards analysis predates the events of 9-11 and does not include the possibility of an intentional act resulting in release. As a result of an intentional act, equipment malfunction or other mishap, hazardous and explosives wastes and ash could easily be released into the environment. Moreover, Site 300 is subject to wildfires, which could also create a significant hazard to the public and the environment if a wildfire impacts the Facilities. These environmental effects must be thoroughly analyzed.

Finally, because the proposed project could have a significant effect on the environment, the issuance of the draft Negative Declaration was not warranted. On the contrary, the potential significant environmental impacts associated with the continued operation of the facilities necessitate the preparation of an Environmental Impact Report.

Sincerely,

Name:

Address:

City/State/Zip Code:

Additional comment: