

# Tri-Valley CAREs

Communities Against a Radioactive Environment

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*Peace Justice Environment  
since 1983*

Ms. Barbara Lee – DTSC Director  
Mr. Alfred Wong  
Mr. Alejandro Galdamez

## **Re: Extension of Public Comment Period for the Draft RCRA Hazardous Waste Facility Permit for Lawrence Livermore National Lab's Site 300**

To whom it may concern at DTSC,

I write you today to formally request that the DTSC extend the public comment period on the Draft RCRA Hazardous Waste Facility Permit for LLNL's Site 300 to a full 90-days. The current comment period is insufficient given the following:

- Multiple commenters at the public hearing on the draft permit in Tracy on Wednesday, April 27<sup>th</sup> requested an extension.
- Livermore Lab's Site 300 is a complex nuclear weapons high explosives testing range with many hazardous and mixed radioactive wastes on site. The permit application is nearly 1,000 pages and includes many documents of a highly technical nature that are time consuming to get through and synthesize, especially for lay-people.
- A draft permit for Site 300 has been issued before (in 2007/2008) and commented on previously. However, the DTSC abandoned that process without ever responding to the comments. Because this permit is substantially the same as the previous failed permit, some commenters have the additional task of reviewing the previous draft permit and their previous comments to contrast and compare the current draft and then resubmit new comments. Further, this new draft permit rests not on the 2007/2008 Initial Study, but instead tiers off of an earlier 1997 Initial Study, requiring additional comparing and contrasting. Additionally, DTSC has REFUSED to make the 2008 public comments public so that commenters here might see what was said in comments in 2008.<sup>1</sup>
- Though it has been eight years since the DTSC issued any new material with regard to Site 300 for public review, the agency has decided to release this Draft simultaneously to the release of the approved permit and responses to comments for LLNL's Mainsite. Many potential commenters are interested in both sites, as they are proximate and connected, and were reviewing the Mainsite's final permit and comment responses during the 30 day review period, which ended on April 21<sup>st</sup>.

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<sup>1</sup> On behalf of the organization and many of our members who commented on the 2008 Draft Permit, Tri-Valley CAREs submitted a California Public Records Act Request to DTSC for all of the public comments made on the 2008 draft permit on January 14, 2016. The request was summarily denied by DTSC.

As such, DTSC should extend the public comment period to a full 90 days, which would end on Monday, June 27<sup>th</sup> to give the public more time to participate effectively in Site 300's permitting process.

Sincerely,

s/Scott Yundt  
Staff Attorney  
Tri-Valley CAREs