



July 23, 2019

Dave Cobrain, Program Manager  
Hazardous Waste Bureau  
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Santa Fe, NM 87505-6303  
Via email to: [dave.cobrain@state.nm.us](mailto:dave.cobrain@state.nm.us)

Re: Public Comments about Sandia National Laboratories' Mixed Waste Landfill  
Five-Year Report

Dear Mr. Cobrain:

Sandia National Laboratories' ("Sandia") Five-Year Review proposes that planning and implementation for excavation and offsite disposal of radioactive and toxic chemical wastes in the Mixed Waste Landfill (MWL) is feasible and that if directed to undertake excavation of the site, the best remedy for the waste is offsite storage. *See* Five-Year Review Section 5.4. The New Mexico Environmental Law Center believes that, given Sandia's conclusion, it is in the best long-term interests of assuring public and occupational health and safety that the Environment Department issue an Order directing Sandia to immediately begin such planning. One reason for this step is that the Environment Department's 2016 Final Order specified that the existing dirt cover "may not be the most appropriate long-term solution for the site."

According to the Sandia 5-Year Review:

- Compared to onsite disposal, excavation with offsite disposal has a lower cost, less risk to workers and the public, will take less time, utilize a smaller footprint, and decrease the amount of time devoted to regulatory issues;
- The disposal pathways currently exist offsite for the disposal of all the wastes and there are available onsite processing facilities to prepare the waste for offsite transportation and storage;
- At some future time, the current dump site, following removal and final remediation of the site, could be available for industrial uses;

- There are available means for decreasing any occupational hazards due to excavation of the site through the use of both conventional and remote controlled robotic equipment; and
- Radionuclides, such as Cobalt 60 and Tritium, have sufficiently decayed to levels that are acceptable for worker safety.

There are a number of reasons that favor excavation, waste removal and remediation of the MWL:

1. The MWL poses a permanent threat to the safety of the Albuquerque community as it is near the city and the Isleta Pueblo as well as the Mesa del Sol children's park;
2. The dirt cover over the waste does not protect Albuquerque's drinking water aquifer from the long-lived radionuclides and toxic chemicals;
3. The MWL contains hundreds of solvents, heavy metals and radionuclides in unlined pits and trenches, including Plutonium-239, Americium-241, Cesium-137, U-235, mercury, lead, PCE, PCBs, beryllium, and cadmium, and chlorinated solvents, such as TCE, are already leaking into Albuquerque's drinking water aquifer.
4. Many of the radioactive wastes in the MWL must be monitored forever, yet there is no plan for such extremely long-term monitoring;
5. Canisters in the MWL that contain metallic sodium and high level spent fuel from nuclear reactor meltdown experiments can corrode and catastrophically explode, breaching the dump's dirt cover and spreading radiation into Albuquerque's air, soil and water – the equivalent of a dirty bomb;
6. The Five-Year Review indicates a long-term risk that canister seals and other containment can fail, something already recorded in the inventory of stored materials, but which otherwise would go undetected until either the contaminant reaches a monitoring well, causes an accident, or excavation is undertaken and discovers the problem, something foreseen and even expected in the feasibility evaluation;
7. The New Mexico State University affiliated Waste Management and Education and Research Consortium ("WERC") conducted an independent study of the MWL, concluding that the nature and amounts of hazardous and radioactive materials stored at the Mixed Waste Landfill, plus the location of the site next to a growing metropolitan city, represents a long-term potential hazard to both humans and the environment and, unless excavated, the site will be a permanent legacy issue for the U.S. Department of Energy ("DOE");

8. Sandia has experience excavating its dumps; for example, the Chemical Waste Landfill was excavated without incident.
9. Ordering excavation sets a good precedent for cleanups/excavation at other DOE facilities in New Mexico, including Los Alamos National Laboratory.

For the reasons set forth above and contained in the Five-Year Review, by this letter we respectfully request that the New Mexico Environment Department issue an Order directing Sandia National Laboratories to proceed with a Corrective Measures Implementation Plan for the excavation and offsite disposal of the long-lived toxic and radioactive chemicals contained in the Mixed Waste Landfill.

Thank you for your careful consideration of these comments.

Sincerely,



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Jonathan M. Block, Staff Attorney  
New Mexico Environmental Law Center

*Copied via email to:*

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