

Eric Benavidez

To Members of the New Mexico Water Quality Control Commission:

I strongly disagree with the Hearing Officer's recommendation to the NM Water Quality Control Commission (WQCC) to deny standing to CCNS and HOPE. These organizations have members who are clearly affected, in the past and the future, by operation of the Radioactive Liquid Waste Treatment Facility (RLWTF) at Los Alamos National Laboratory.

The NM Water Quality Act specifically states that it does not apply to facilities that handle, treat and store hazardous waste, which are required to be regulated by the NM Hazardous Waste Act.

Only the Hazardous Waste Act and its regulations can properly safeguard our community from hazardous wastes in the RLWTF. To say that the CCNS members lack standing to ask for such regulation ignores the reality of the dangers that the RLWTF presents to the community.

The WQCC must recognize it does not have any authority under the NM Water Quality Act to regulate the RLWTF, a hazardous waste facility. The WQCC must deny the discharge permit, DP-1132. The NMED must do its job and fully regulate the RLWTF under the NM Hazardous Waste Act.