

January \_\_\_, 2018

By email to: [Steve.Pullen@state.nm.us](mailto:Steve.Pullen@state.nm.us)

Steve Pullen, Manager  
Pollution Prevention Section  
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New Mexico Environment Department  
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- Public comments about the draft Ground Water Discharge Permit DP-1817 for Waste Control Specialists, LLC
- Discriminatory patterns and practices continue in the public permitting process
- Need to stop public comment period, meet the requirements of the Informal Resolution Agreement, and begin the public comment period again

Dear Mr. Pullen:

I am very concerned about the discriminatory manner in which the New Mexico Environment Department has conducted the public permitting process for the Waste Control Specialist (WCS) draft groundwater discharge permit DP-1817.

The WCS permitting process must be stopped once again. The Environment Department must meet the requirements of the Informal Resolution Agreement before the public comment period reopens. **It is unacceptable for the Environment Department to discriminate one more time.**

The Environment Department has not met the basic requirements of the January 2017 Informal Resolution Agreement it made with the U.S. Environmental Protection Agency to resolve the Title VI Civil Rights complaint filed in 2002 by three environmental organizations (Citizens for Alternatives to Radioactive Dumping (CARD), Water Information Network (WIN), Conservative Use of Resources and the Environment (CURE)) and two individuals.

The Civil Rights complaint was filed because of the discriminatory manner in which the Environment Department conducted the public permitting process for Triassic Park, a proposed hazardous waste facility located east of Roswell, New Mexico. Unfortunately, the WCS discharge permitting process seems to be going forward with few changes

from how the public participation process was done 16 years ago. Actually, in some ways it was easier for local people to inform themselves 16 years ago. At that time, there were paper copies of the draft permit and some other documents were available at the site. There were information meetings (though none in Spanish) and there was a Fact Sheet that explained the permitting process. None of this is available today for people from the potentially impacted communities.

The WCS hazardous and radioactive waste storage and disposal facility is located in Andrews County, Texas, on the Texas - New Mexico state line. The closest community, Eunice, New Mexico, is populated with a majority of people who identify as Hispanic. A majority of these families speak Spanish in the home. Yet, only the most recent public notice (November 17, 2017) has been translated into Spanish. Key documents, reports, maps and correspondence in the administrative record have not been translated into Spanish.

Further, Low English Proficiency (LEP) speaking public cannot provide informed comments about a proposal to discharge up to 170,500,000 gallons per day (from a theoretical 100-year storm) of runoff from Texas to flow into New Mexico through unnamed ditches in both states; into the Monument Draw; and into the Rio Grande.

Because southeastern New Mexico is not a digital environment, vital documents should also be placed in local libraries or community centers where the public will be able read them during both business and non-business hours.

In conclusion, the WCS public permitting process must not continue in a discriminatory manner. The Environment Department must stop this permitting process and meet the Informal Resolution Agreement requirements before moving ahead with a new draft permit.

Thank you for your careful consideration of my comments. Please add my name to the WCS facility mailing list.

Sincerely,

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Info: \_\_\_\_\_