



# STOP FOREVER WIPP COALITION



Citizens for Alternatives to Radioactive Dumping (CARD)

Concerned Citizens for Nuclear Safety (CCNS)

Conservation Voters New Mexico

Demand Nuclear Abolition

Nuclear Watch New Mexico

Southwest Research and Information Center

The 285 Alliance, Steering Committee

Veterans for Peace

and numerous individuals



# Tell EPA No to WIPP Expansion

(DOE “Planned Change Request”)

Wednesday, August 21, 2024 Webinar

Sponsored by

**Stop Forever WIPP Coalition**

<https://stopforeverwipp.org/>

Facilitator:

Robin Seydel

Presenters:

Don Hancock, Southwest Research and Information Center

Doug Meiklejohn, Conservation Voters New Mexico

# Agenda

WIPP's Mission

How EPA Fits In and "EPA Speak"

WIPP as EPA Approved in 1998

What DOE Wants Changed in 2024

Computer Model Basis for EPA's Approval

Why Rulemaking Is Legally Required and Important

Some Problems with WIPP Expansion

What You Can Do and What to Tell EPA

Schedule and Resources

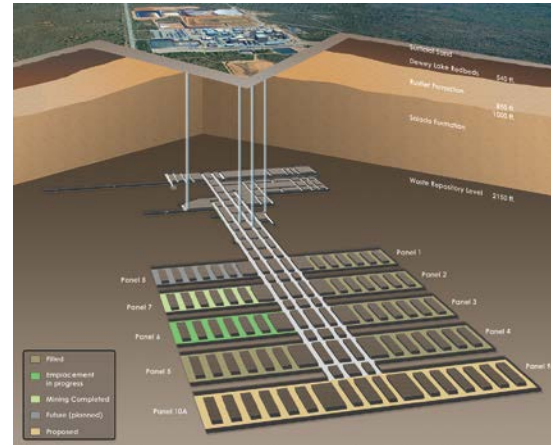
Questions and Answers

# WIPP's Mission

- Safely Dispose of some waste from making nuclear weapons during the Cold War



- Up to 6.2 million ft<sup>3</sup>



- Only plutonium-contaminated waste mixed with toxic chemicals (Transuranic (TRU) mixed waste)





# How EPA Fits In

- **Certify that WIPP meets Disposal Standards**  
**EPA issued the Certification on May 13, 1998**
- **Each 5 years Recertify that WIPP still complies**  
**Done in 2006, 2010, 2017, and 2022**
- **Approve “Planned Change Requests”**



# “EPA Speak”

“Performance Assessment” (PA) - an analysis of **models and computer calculations** to estimate cumulative releases of radionuclides **for 10,000 years after WIPP’s closure**

“Complementary Cumulative Distribution Function” (CCDF) – The PA **results** are shown in CCDFs that represent the **probability** of exceeding radiation release levels **from the processes and events analyzed**

# WIPP as EPA Approved in 1998

## Facility Design

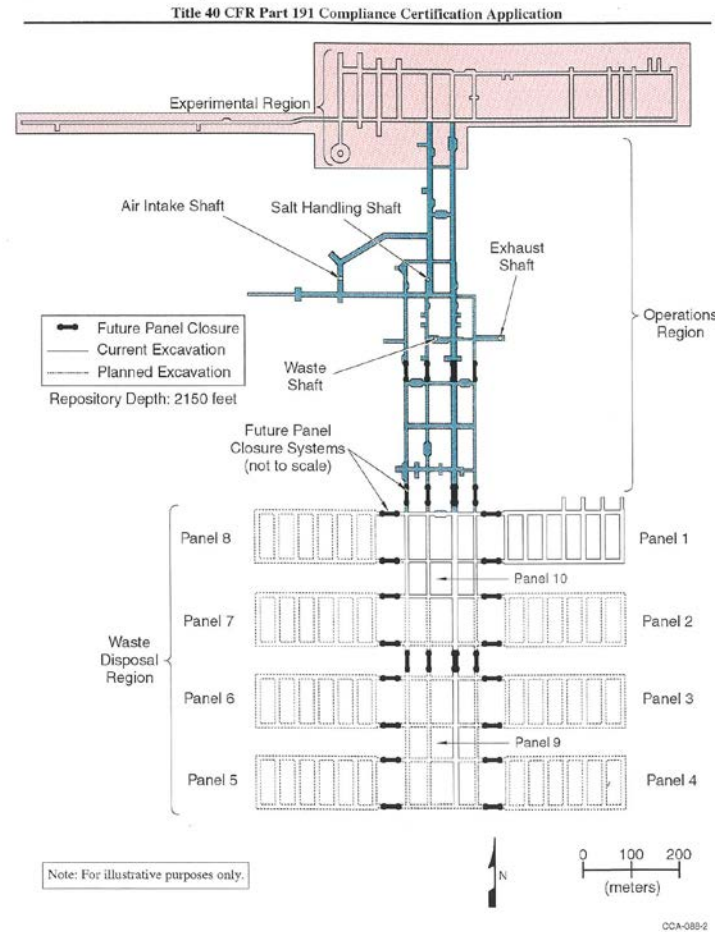
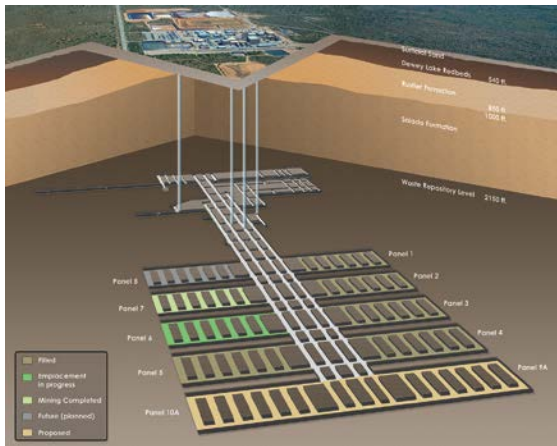


Figure 3-2. Plan View of WIPP Underground Facility and Panel Closure Systems

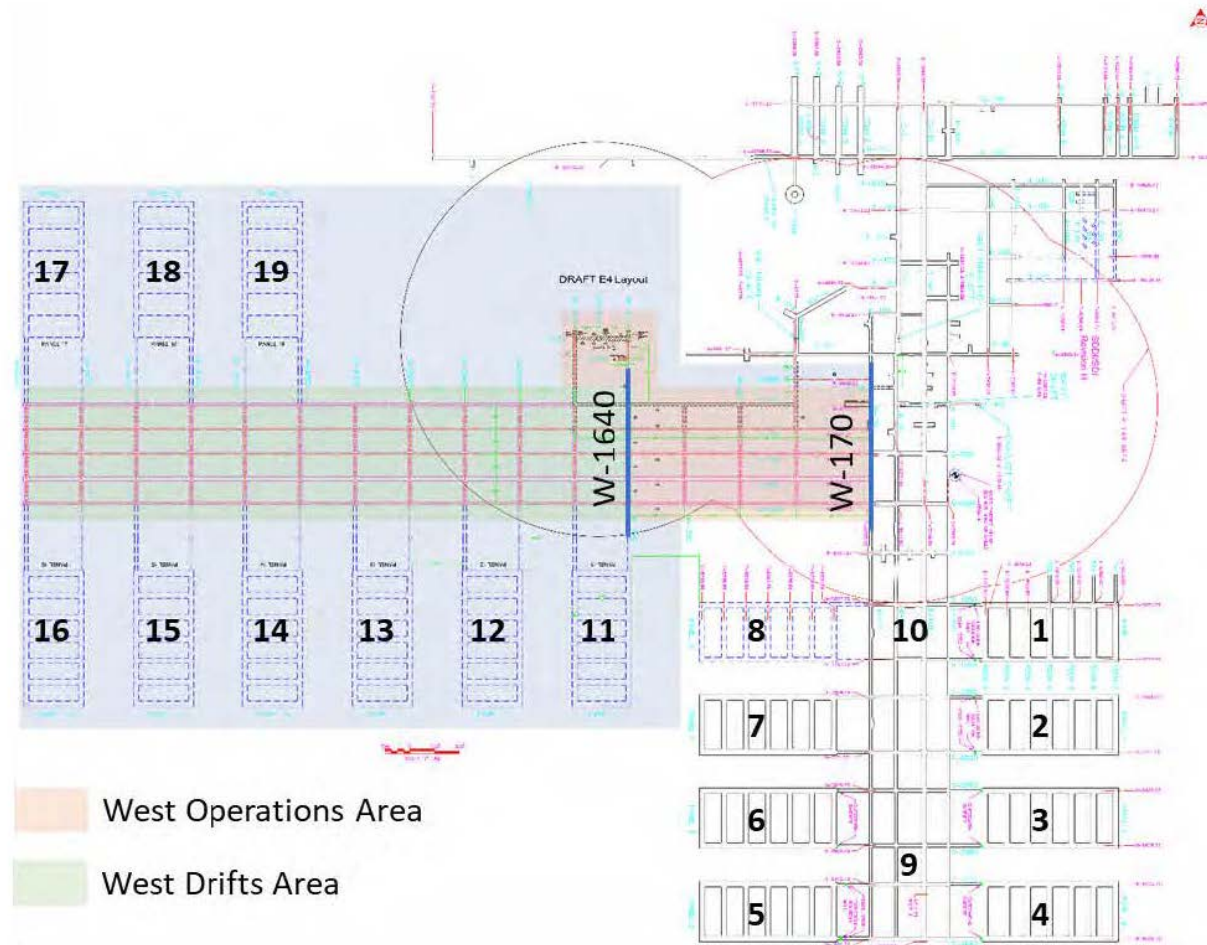
## Facility Capacity

6.2 million cubic feet  
175,564 cubic meters

3.44 million curies  
12/31/2033 closure

# What DOE Wants Changed in 2024

Facility Design



Facility Capacity

6.2 million ft<sup>3</sup>

175,564 m<sup>3</sup>

6.51 million curies

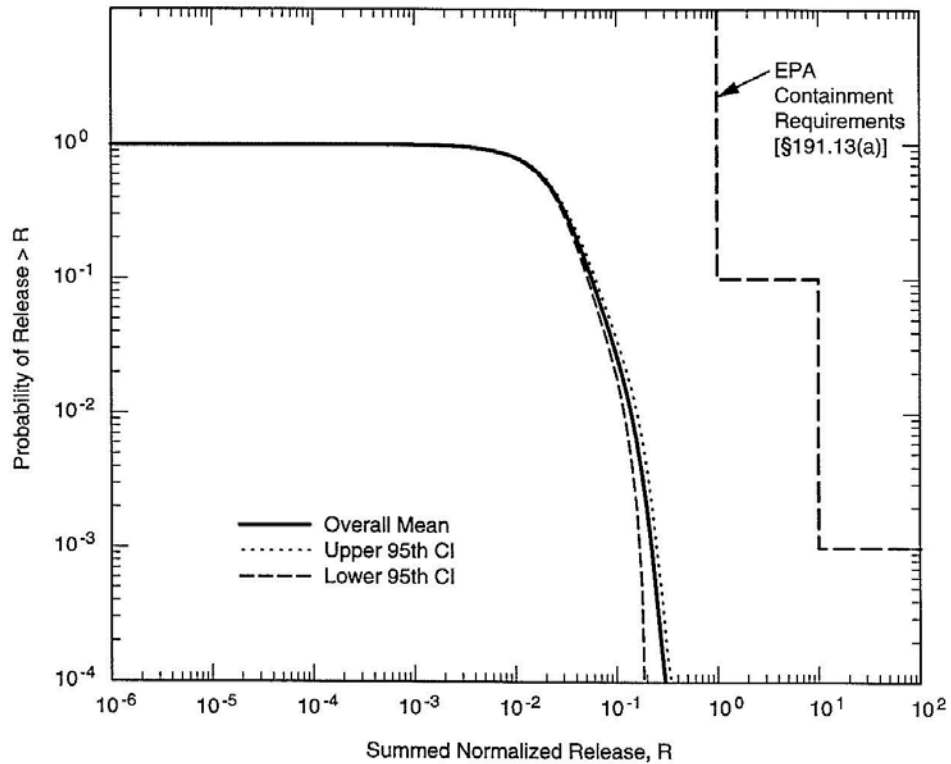
12/31/2083 closure

Figure 2-1. Current Repository Footprint and Proposed Replacement and Additional Waste Panels

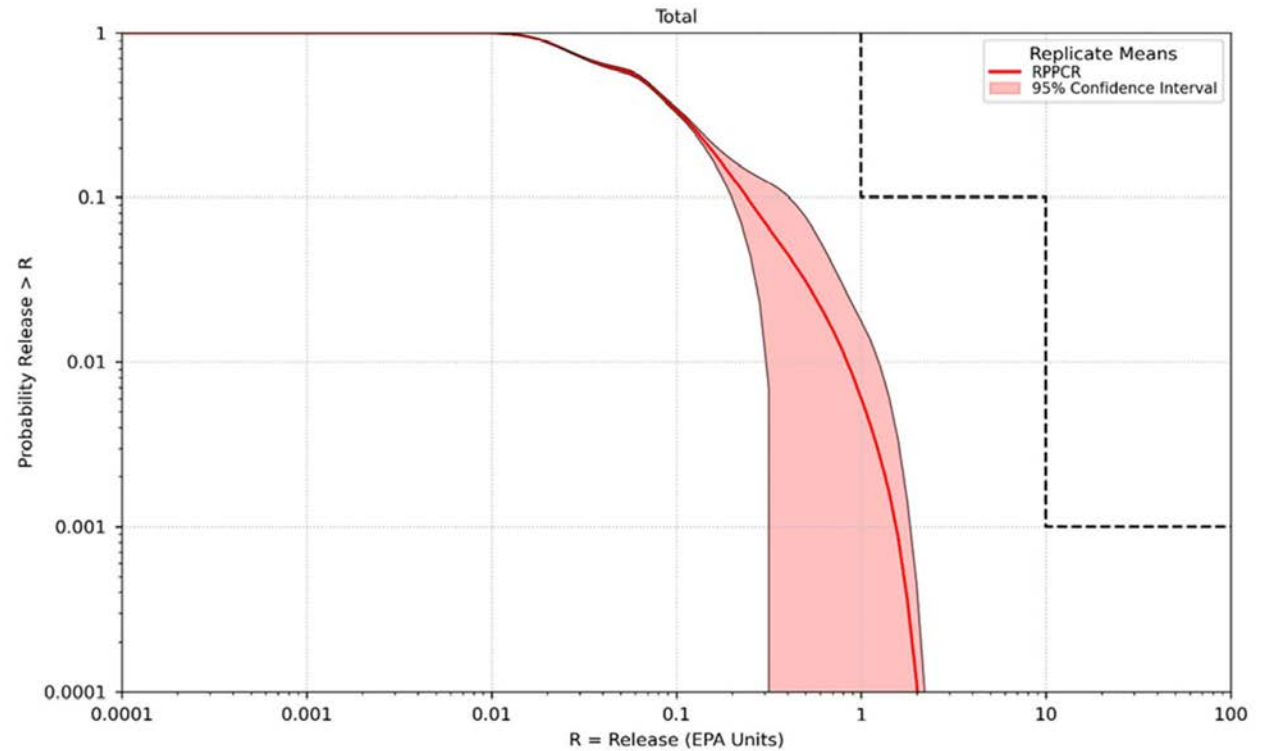


# Computer Model Basis for EPA's Approval

1998



2024



Note: This figure is reproduced from Figure 6-39.

Figure 3. RPPCR 95% Confidence Interval

# Why Rulemaking Is Legally Required

EPA Regulations Require Rulemaking (40 CFR 194.65):

“If...any **changes...depart significantly** from the most recent compliance application, the Agency **will publish a Notice of Proposed Rulemaking....”**

DOE’s PCR includes very significant changes:

- **two entirely new Panels** – Panels 11 and 12
- **16 different changes** in the computer models, assumptions, data, and waste inventory compared with the 2019 Recertification
- **Panels 13-19 and new types of wastes**

**On June 24, 2024, 13 organizations sent  
Letter/Legal Memo to EPA**

June 24, 2024  
Ms. Lee Ann B. Veal, Director  
Radiation Protection Division  
Office of Radiation and Indoor Air  
Environmental Protection Agency  
William Jefferson Clinton Building, West  
1301 Constitution Ave. NW, Mail Code 6608T  
Washington, DC 20004  
via email: Veal.Lee@epa.gov

Dear Ms. Veal:

The following legal Memorandum is provided on behalf of numerous New Mexico organizations, including Albuquerque Center for Peace and Justice, Citizens for Alternatives to Radioactive Dumping, Concerned Citizens for Nuclear Safety, Conservation Voters New Mexico, Demand Nuclear Abolition, Multicultural Alliance for a Safe Environment, Nuclear Watch New Mexico, Southwest Alliance for a Safe Future, Southwest Research and Information Center, Stop the War Machine, The 285 Alliance, Steering Committee, and Veterans for Peace, Chapters #13 and Joan Duffy.

As described in the Memorandum, the legal requirements of the U.S. Environmental Protection Agency (“EPA”) regulations provide that EPA must publish a notice of proposed rulemaking and accept comments on those proposed changes regarding the U.S. Department of Energy (“DOE”) Planned Change Request for Panels 11 and 12.

The organizations request that EPA issue such a rulemaking notice by the time of the meetings in New Mexico in August 2024 so that those meetings will be part of the rulemaking process.

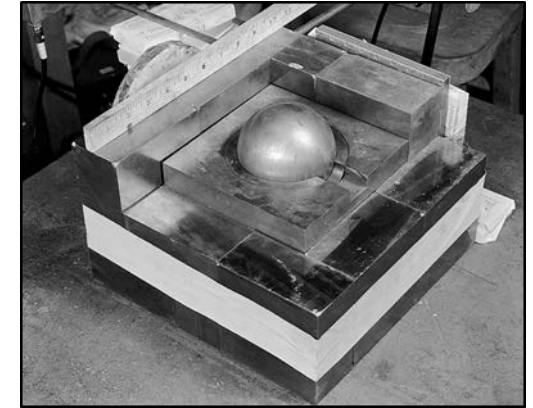
Sincerely,  
Jeanne Dobb  
Albuquerque Center for Peace and Justice  
Deborah Rouse  
Citizens for Alternatives to Radioactive Dumping

# What is a Rulemaking/Why it's Important

- EPA issues a Notice of Rulemaking and proposes its decision to approve, deny, or modify the DOE Planned Change Request
- Public comments must be considered and responded to
- EPA issues a Final Decision
- The Final Decision can be appealed in Court
  
- Rulemaking provides a more rigorous and comprehensive consideration of WIPP Expansion
- EPA is more accountable because the Decision can be taken to Court

# Some Problems with WIPP Expansion

- **Increased waste volume:** About 25% of volume is from **new plutonium pit production** at the Savannah River Site (SRS) (20+%) and Los Alamos National Lab (LANL) (4+%)



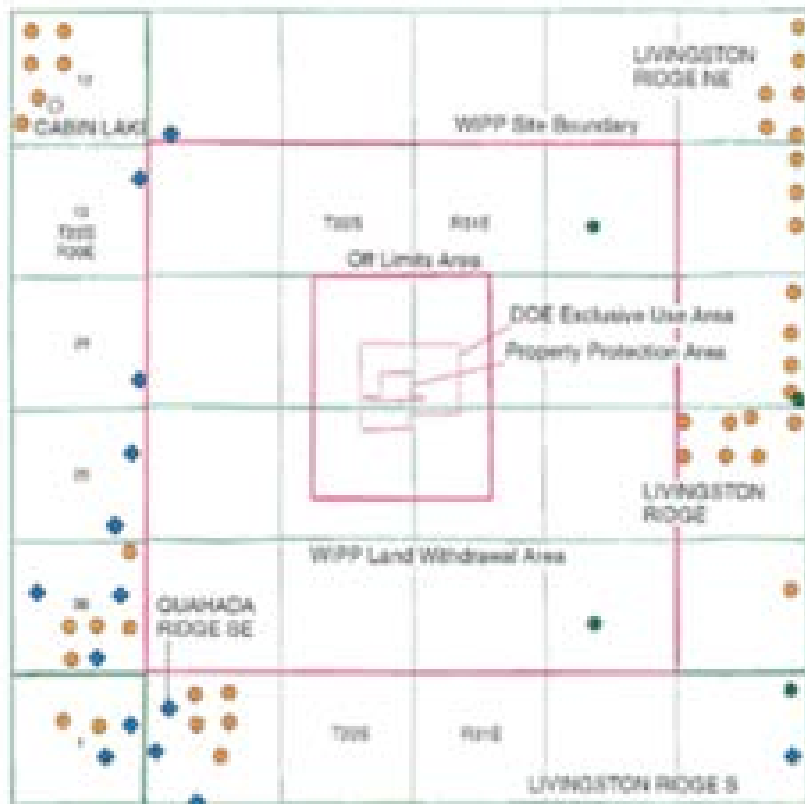
- **Increased radioactivity:** About 24.5% of radioactivity is from **new plutonium pit production** at SRS (21.5%) and LANL (3%)
- **Increased radioactivity:** 41+% of radioactivity is from surplus plutonium waste from SRS.



# Some More Problems with WIPP Expansion

Increased projected releases because of nearby oil and gas drilling

1996



2023



# What You Can Do

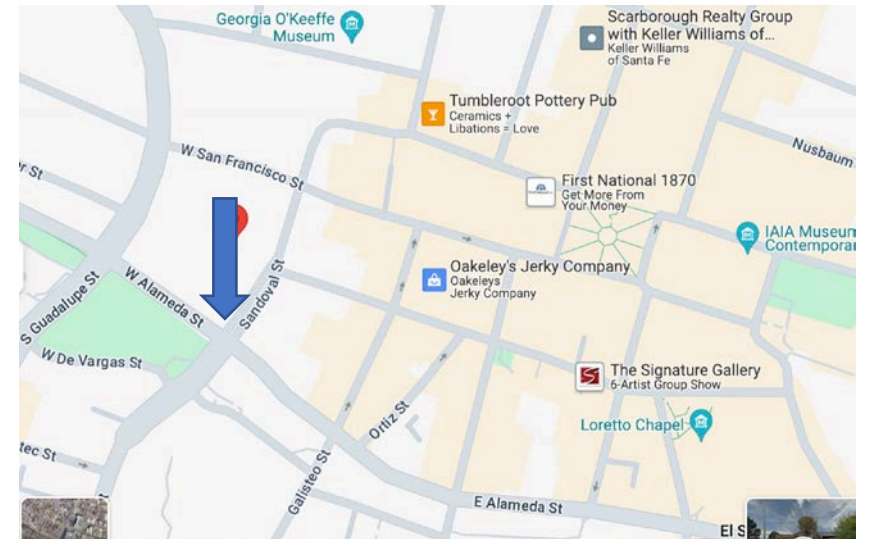
**Attend** on Wednesday, August 28 at Hilton Santa Fe-Historic Plaza, 100 Sandoval Street, in Canyon Ballrooms VI-VIII

\* From 1-3 pm

Technical Meeting with EPA, DOE, Sandia

\* From 6-8 pm

**Make Oral Public Comments**



Submit written comments by September 16, 2024 to EPA:

<https://www.regulations.gov/docket/EPA-HQ-OAR-2024-0309>

# Tell EPA

- **EPA must conduct a rulemaking** proceeding on the Planned Change Request
- **You Oppose WIPP expansion** because it endangers you, workers, and people along transportation routes for many decades
- **You Oppose WIPP expansion** because \_\_\_\_\_  
\_\_\_\_\_

# Tell EPA

- If EPA approves Panels 11 and 12, **it must include conditions agreed to in the New Mexico 2023 Renewal Permit:**
  - **Prioritize Legacy Waste**
  - **Require Annual Reporting on Another Repository in Another State**
- If EPA approves Panels 11 and 12, it should require that **additional Panels could only be approved in a future rulemaking**





# EPA's Schedule

**Monday, August 26:** Public Meeting in Carlsbad at Skeen-Whitlock Building, Main Auditorium, 4021 National Parks Highway, **2:00 PM - 4:00 PM**. Register: [https://usepa.zoomgov.com/meeting/register/vJlsdeiqrTwpHUkjZ1z\\_djiz7fqgYMDqcc8](https://usepa.zoomgov.com/meeting/register/vJlsdeiqrTwpHUkjZ1z_djiz7fqgYMDqcc8)

**Wednesday, August 28:** Public Meetings in Santa Fe at Hilton Santa Fe-Historic Plaza, 100 Sandoval Street, Canyon Ballrooms  
**1:00 PM - 3:00 PM** – Technical Session

<https://usepa.zoomgov.com/meeting/register/vJlsdOyqqjosG2w3uwOoOk4UNSxZwyXxE2s#/registration>

**6:00 PM - 8:00 PM** – Public Comment Session

[https://usepa.zoomgov.com/meeting/register/vJlsdumqrzlvHZWmhyQ\\_Jh7EBE1EcgTmi5Y#/registration](https://usepa.zoomgov.com/meeting/register/vJlsdumqrzlvHZWmhyQ_Jh7EBE1EcgTmi5Y#/registration)

**Monday, September 16:** Deadline for written public comments to EPA:

<https://www.regulations.gov/docket/EPA-HQ-OAR-2024-0309>

# Resources

- Stop Forever WIPP - <https://stopforeverwipp.org/>
- EPA - <https://www.epa.gov/radiation/wipp-news>
- DOE/WIPP - <https://www.wipp.energy.gov/>

- EPA Docket for written comments:

<https://www.regulations.gov/docket/EPA-HQ-OAR-2024-0309>

# Questions & Answers

What are Your Questions and Comments?