

Three New Conditions in the 2023 New Mexico Environment Department's WIPP Renewal Permit

2.14.3 Repository Siting Annual Report

The DOE shall submit an annual report summarizing its progress toward siting another repository for TRU waste in a state other than New Mexico. The annual report shall summarize the steps the DOE has taken toward siting such a repository in another state and the report shall include documentation supporting the summary. Such documentation may include: with what disposal regulations another repository shall comply; consent-based or other siting process, timeline and milestones for identifying possible sites for another repository; National Environmental Policy Act actions, congressional authorizations and budget appropriation requests; communications with EPA and other federal agencies or Congress about activities to establish another repository; land acquisition(s); state and public engagement activities; feasibility studies; design, construction, and operation plans; and plans, timelines, and milestones for independent technical expert reviews of the activities related to establishing another repository for TRU waste.

4.2.1.4 Prioritization and Risk Reduction of New Mexico Waste

Pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.10.k), within 15 days of publishing the Annual Transuranic Waste Inventory Report (ATWIR), the Permittees shall certify to the NMED that there is sufficient TRU Mixed Waste Volume capacity in permitted HWDUs to dispose of the New Mexico generator/storage site waste detailed in this report. The certification shall contain the underlying calculations and data used to validate the certification. While this permit remains in effect, the Permittees shall prioritize by so certifying the emplacement at WIPP of stored (including buried) TRU mixed waste from the clean-up activities at the Los Alamos National Laboratory (LANL).

4.2.1.5 Legacy TRU Waste Disposal Plan

The Permittees shall define legacy TRU and TRU mixed waste and develop the Legacy TRU Waste Disposal Plan (Plan). The Plan will be developed in consultation with the generator/storage sites and stakeholders. Consultation with stakeholders shall begin within 90 days of the effective date of this Permit. The Plan shall be submitted to the Secretary within one year of the effective date of this Permit. The Permittees shall seek public input for 60 days following the submittal of the Plan and submit received comments to the Secretary. To the extent practicable as articulated in the final Plan, Panel 12 will be reserved for the disposal of legacy TRU mixed waste.

Those conditions and the entire Permit are available at: <https://www.env.nm.gov/hazardous-waste/wipp-permit-page/>