

Date: _____

By email to: LTWDP@wipp.doe.gov

Dear New Mexico Environment Department:

I appreciate your efforts to protect New Mexicans through the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Permit and the three new permit conditions that address the need for another nuclear waste repository in a state other than New Mexico; the need to prioritize and reduce risk of nuclear waste stored in New Mexico; and the need for a Legacy TRU (or transuranic) Waste Disposal Plan.

On November 4, 2024, the Department of Energy (DOE) submitted its inadequate Legacy Transuranic (TRU) Waste Disposal Plan (the Plan) to the New Mexico Environment Department (NMED).

The Plan ignores the promises DOE made to New Mexico and New Mexicans. WIPP was sold as a pilot project to clean up Cold War legacy waste, as a test case for deep geologic nuclear waste disposal, and to close in 2024 after 25 years of operations. The DOE's Plan as submitted violates those promises made by DOE and in many respects, violates the Permit requirements.

I urge the NMED to reject the Plan and to suggest language that complies with the Permit Condition 4.2.1.5 Legacy TRU Waste Disposal Plan. The following provisions must be clearly defined and strictly enforced by NMED:

Legacy Waste must be defined as having been generated before 1999, when WIPP opened.

In order to protect the 3,000 square mile regional Española Basin Sole Source Drinking Water Aquifer, LANL pre-1999 legacy waste must be prioritized for disposal now over other waste, including transuranic waste from expanded plutonium pit production at LANL and SRS.

Conditions must be added to the Plan requiring DOE to support generator sites to process their legacy waste so it may be disposed at WIPP when space is available in Panels 11 and 12 in the 2030 timeframe.

I am counting on NMED to require DOE to fully comply with your revised and compliant Legacy TRU Waste Disposal Plan. Thank you for your careful consideration of my comments.

Sincerely,

Name

Address