



SOUTHWEST RESEARCH AND INFORMATION CENTER
 P.O. Box 4524 Albuquerque, NM 87106 505-262-1862 FAX: 505-262-1864

James:
 let's discuss it
 get a response out
 ASAP.

002

RECEIVED

APR 2000

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

April 12, 2000

Gregory J. Lewis, Director
 Water and Waste Management Division
 New Mexico Environment Department
 PO Box 26110
 Santa Fe, NM 87502-6610

Dear Mr. Lewis:

SRIC is very disappointed in the lack of a public participation process related to the Rocky Flats Audit Report. SRIC believes that the process can and should be improved for future audits, so we request that you allow at least 45 days for public review and comment of future first-time final audit reports.

It would greatly assist SRIC and other members of the public if you would agree to such a public review process, prior to any further audit reports being submitted, so that both the public and DOE will know the process. Since we understand that the Hanford final audit report could be submitted in early May, we request that you provide a response to this request prior to that time.

SRIC is well aware that there is no specified duration for public comment on audit reports contained in the WIPP permit. However, it is fully within NMED's authority to use its discretion to provide for a public comment period. Under the circumstances in which NMED is reviewing site audit reports for the first time, SRIC believes that the agency should encourage the public to provide it information that it otherwise would not have and provide an adequate timeframe for public review and comment. NMED's own testimony during the WIPP permit hearing was that public comment provides information to NMED that it otherwise would not have. Tr. 2774, ll. 4-18 and Tr. 2792, l. 4-9.

Thus, SRIC requests that for the upcoming final audit reports for Hanford, INEEL, LANL, and Savannah River, you provide at least a 45-day comment period for the public. Such a timeframe would allow for meaningful public review in that SRIC and other interested members of the public could review the voluminous documents that will be included, as was the case with the Rocky Flats audit. Given that DOE itself has dramatically delayed the timing of these audits, it cannot reasonably object to such a process. For example, the Hanford re-audit is three months later than the original audit schedule in January. The INEEL audit has been delayed for a month to late April. The LANL audit has been delayed from April to June. And further delays of those audits is possible or, as at Hanford, re-audits are possible. If the permittees need extended time



to audit the sites, the public should be provided a reasonable comment period on the audit reports.

Providing advance notice for such a comment period would signal the public that NMED is actually interested in public comment, and it would allow DOE/WID as the permittees to have a better understanding of the timeframe in which NMED would make its decision on those audit reports.

Thank you very much for your careful consideration of this request.

Sincerely,



Don Hancock