

Comments on Proposed Class 2 Modifications  
To the Hazardous Waste Facility Permit  
For the U.S. Department of Energy's Waste Isolation Pilot Plant

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I am writing this due to my concern about modifications to the WIPP operating permit. I am very concerned that changes in the WIPP operating permit were made under the label of "Class 1 modification." I am particularly upset about the fact that waste which did not pass the original permit regulations, but was "self-regulated" by the DOE is now being allowed to be put in the same room as waste that had been approved under the original permit.

If I had known that NMED was going to make this change to the permit and modify it as a Class 1 modification I would have objected. However, there was no

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public notice and I only learned of it after this change had been made. I do not feel that a change in the permit such as this is properly categorized as a Class 1 modification. In fact, during the original permit hearings the Hearing Officer considered this permit condition (no mixing of "approved" waste with "self-regulated" in the same room) to be the most controversial and provocative issue raised in the proceeding. I find this change in the permit particularly disturbing because no public comments or hearings were held.

I am also upset about two Class 2 modifications. The DOE

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wants to base examination of the waste containers on only 3 large "summary category groups" - homogenous solids, soils/gravels, and debris waste. This would reduce the number of containers by ~~to 20% of total~~ that are visually examined by a significant amount. I am concerned that this would substantially increase the likelihood that prohibited items would be disposed at WIPP.

I also am concerned ~~about~~ <sup>about</sup> the Class 2 modification which allows no sampling for VOCs in the headspace of containers if information about the waste generating process shows the waste doesn't contain VOC-related hazardous waste.

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This modification is no reasonable because there is actually very little information in the records on the hazardous part of the waste. This could lead to incidents where records indicate no VOCs in the waste when in reality they are actually present.

Please take my concerns seriously. I am afraid that the safety of the people and land of New Mexico is not being taken seriously.

Sincerely,

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