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January 24, 2001

Joni Arends
Waste Program Director
Concerned Citizens for Nuclear Safety
107 Cienega St.
Santa Fe, NM 87501

RE: APPLICABILITY OF PREVIOUS COMMENTS TO RESUBMISSION OF PERMIT MODIFICATION REQUESTS

Dear Ms. Arends:

This letter serves as a formal response to Concerned Citizens for Nuclear Safety's (CCNS) October 17, 2000 email inquiry regarding the numerous comments submitted by citizens concerning the Department of Energy's (DOE) July 21, 2000 permit modification request to perform waste characterization activities at the Waste Isolation Pilot Plant (WIPP). The DOE subsequently withdrew its permit modification request, but stated that it would resubmit at a later date. The issue requiring resolution is: Will the New Mexico Environment Department (NMED) consider previously submitted comments when a revised permit modification request is submitted by DOE. The short answer is yes.

The majority of the comments received by NMED were submitted on green postcards, and included the following comments:

"DON'T EXPAND WIPP!"

"I oppose the DOE's plans to do waste characterization and long-term surface storage at WIPP."

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"I ask NMED to DENY the proposed Class 2 modifications for waste characterization at WIPP.

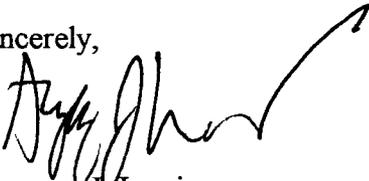
"I ask NMED to require a Class 3 public hearing on any proposal to expand WIPP."

To date, NMED has received approximately 700 of these postcards from citizens. On September 29, 2000, DOE withdrew their modification request, indicating their intent to submit a revised modification request on the same subject at a later date. NMED understands from a DOE presentation at the WIPP Quarterly Meeting held last week that they intend to submit a revised modification before the end of January 2001.

In your October 17 e-mail, you requested written confirmation from NMED that the comments on the permit modification "will be applicable to any resubmission DOE will make pertaining to these same issues." By this letter, NMED is confirming that the sentiments expressed in all previous comments received related to waste characterization activities at WIPP will be considered in evaluating the merits of such a proposed permit modification request. Of course, any changes to DOE's original permit modification request that are in the revised submission will need to be addressed separately.

NMED thanks you for your interest in this matter and looks forward to hearing your thoughts and concerns regarding the revised permit modification request when it becomes available. If you have any further questions regarding this matter, please contact me at 827-1758.

Sincerely,



Gregory J. Lewis
Director

GJL:soz

cc: James Bearzi, NMED HWB
John Kieling, NMED HWB
Steve Zappe, NMED HWB
Susan McMichael, NMED OGC
Inés Triay, DOE/CBFO
File: Red WIPP '01