

ENTERED

**CITIZEN ACTION
CITIZENS FOR ALTERNATIVES TO RADIOACTIVE DUMPING (CARD)
CONCERNED CITIZENS FOR NUCLEAR SAFETY (CCNS)
LOS ALAMOS STUDY GROUP (LASG)
NUCLEAR WATCH OF NEW MEXICO (NWNM)
PEACE ACTION NEW MEXICO
SISTERS OF LORETTO
SOUTHWEST RESEARCH AND INFORMATION CENTER (SRIC)**

June 28, 2001

Peter Maggiore, Secretary
New Mexico Environment Department
1190 St. Francis Drive
Santa Fe, NM 87505

Dear Secretary Maggiore:

On behalf of the above listed citizen organizations, which represent more than 10,000 New Mexicans, we request an extension of the public comment period on the Department of Energy (DOE) class 3 modification request regarding the Centralized Waste Confirmation Facility at the Waste Isolation Pilot Plant (WIPP) from August 13 until September 28, 2001.

New Mexico Hazardous Waste Act regulations, 20 NMAC 4.1.900, incorporating 40 CFR 270.42(c)(5) provide that the public have "at least 60 days" to comment on a class 3 modification request. Thus, you have the authority to provide for a comment period of longer than 60 days.

The modification request is voluminous and complex, more voluminous and complex than many of the class 2 modifications, for which we have 60 days to comment. Thus, this request should normally have more than a 60-day comment period.

The need for an extension is even more necessary in the existing circumstances, for two important reasons. First, DOE has a complex, two-part class 2 modification pending, upon which comments are due on July 6. Thus, our organizations must focus our attention on that pending modification first. If the comment period is not extended, we would effectively have less than 40 days to review the class 3 modification.

Second, some of our organizations have not yet received a copy of the full modification request. While it is available on the DOE website, not all of our groups have the capability to easily download such a massive document.

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Finally, as you are well aware, hundreds of New Mexicans objected to the previous version of the class 3 modification that DOE filed last July. All citizens should be given an adequate amount of time to review and comment on this very important permit modification.

Thank you for your careful attention to this important matter.

Sincerely,

Sue Dayton
Citizen Action

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cc: Dr. Inés Triay
