

**Subject:** PCB modification request  
**From:** Don Hancock <sricon@earthlink.net>  
**Date:** Tue, 20 May 2003 16:33:00 -0600  
**To:** james\_bearzi@nmenv.state.nm.us  
**CC:** Steve\_Zappe@nmenv.state.nm.us



James,

SRIC will want to comment on the Class 1\* modification regarding removing the PCB prohibition in the WIPP permit. As you know, SRIC has long maintained -- and continues to do so -- that this modification is not properly classified as a class 1 or class 1\* modification.

Secretary Curry's January 27, 2003 letter to me stated: "During my administration, I will ensure that the public has time to submit comments and decisions will not be rushed through without proper input." I presume that policy remains in place.

Thus, I'm wondering what kind of timeframe we have to give comments on that modification request.

That same letter from the Secretary also stated: "I strongly support the suggestion that in the future, DOE meet with participants to discuss relevant issues and attempt to arrive at mutually satisfactory outcomes." While DOE and TRU Solutions are well aware of that suggestion, they chose to ignore it by submitting the class 1\* modification without any meeting or discussion or even providing a draft of the modification to SRIC or other members of the public.

Did NMED tell DOE that it need not make the PCB modification request available to the public before submitting it?

If not, has NMED told DOE that it should not have submitted the modification request without first discussing it with stakeholders?

Please provide SRIC with copies of any correspondence between DOE and NMED regarding this modification request.

Thank you.

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