

Mr. Steve Zappe  
NMED Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505

SUBJECT: Request for Public Hearing

Mr. Zappe,

The Rio Grande Chapter of the Health Physics Society has reviewed Public Notice 03-12, announcing your intent to modify the Hazardous Waste Permit for the WIPP facility, and the accompanying fact sheet.

The Chapter, whose membership consists of health physicists, industrial hygienists, and others with a dedicated interest in public health and safety, has concerns about this permit and its impact on the efforts of the Department of Energy to clean up facilities used over the last 40-50 years in defense activities. Of particular interest to this Chapter is the impact on DOE facilities within the State of New Mexico and the resulting challenges to the health and safety of New Mexicans.

Based on the information provided in the fact sheet and the notice, the Chapter opposes issuance of this permit modification, believing that the need for this action has not been justified and that the additional risk to public health and safety, both in the State of New Mexico and other states at which DOE facilities are located, has not been assessed and documented.

Of particular concern are the following issues:

1. What are the waste streams that are "approved" and contained in Table II.C.3.i, as cited in the proposed action of the fact sheet, but not included in the review? Which waste streams will be included as "prohibited" in the other Table cited but not included?
2. Of these waste streams, both the approved and proposed prohibited, which ones are planned for movement from DOE facilities in New Mexico?

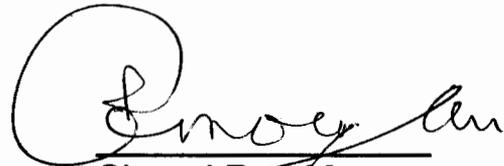
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3. Do the waste streams listed in the Tables include any that are currently approved from DOE facilities in New Mexico?
4. How will this proposed permit modification be used in the review and processing of permit modification requests currently in progress?
5. Why has the State of New Mexico chosen this pathway in lieu of existing and approved processes for waste stream approval?
6. What are the types and volumes of waste anticipated to be effected by this modification?
7. Has the State of New Mexico made available the results of a structured, quantitative assessment of the additional risk to New Mexican citizens or other locations from the impacts of this permit modification request?
8. In the original permitting process, was the DOE required by legislative or regulatory requirements to ensure that the original inventory documents identified all wastes or waste streams?
9. Why is the continuing update of waste inventories and WIPP performance, as required in EPA regulations, not sufficient to allow NMED assessment of DOE disposal activities at the WIPP facility?

The public hearing will be attended by the Chapter. No technical oral comment is requested.



Signed Ron Morgan,  
President  
Rio Grande Chapter  
Health Physics Society  
30 January, 2004