

Steve Zappe

From: Penny McMullen [pmsl@osogrande.com]
Sent: Friday, March 19, 2004 10:23 AM
To: Steve Zappe
Subject: WIPP PMRs



Mr. Steve Zappe
 NMED
 2905 Rodeo Park Drive East
 Building 1
 Santa Fe, NM 87505



Dear Mr. Zappe:

The Loretto Community requests that NMED deny all 3 of the permit modification requests submitted on January 8, 2004.

1. Upgrade Waste Conveyance Loading Car.

This PMR is incomplete and misleading. Some of the information is missing on the WIPP website. Human health and the environment cannot be protected when some of the information is missing.

The notice summary states that the modification would "elevate facility pallets a minimum of 9.5 inches above the floor" while the PMR itself states that the "minimum six inch height will be retained." Such conflicting statements, especially when the actual request is less than the notice indicates, should be cause in itself to deny the request. As I have stated many times before, the public is tired of DOE's sloppy work, which indicates a lack of respect for our time and energy.

2. Addition of Drum Age Criteria (DAC) for New Containers

One of the reasons the NMED denied the previous DAC PMR was that issues related to the INEEL "pucks" for the 100-gallon drums were unresolved, and these issues are not resolved in this current PMR, so it follows that this PMR should be denied also.

Many of the responders to the previous DAC PMR objected to the Permittee's assumption that that all compacted drums in a larger container would have the same source concentration as in the approved smaller container. We do not believe this is a valid or even logical conclusion. We urge NMED to deny this request on the basis that the same stringent testing that was done on the smaller 55-gallon drum should be done for each of the larger size drums (85-gallon, 100-gallon, 10-drum overpacks), that experiments need to be conducted on actual drums (not just computer models), and that separate tables need to be prepared for each size. We are not convinced that our health and environment will be protected when changes are made based on untested assumptions.

We also urge NMED to request that, after such testing, the Permittees resubmit their request as a class 3 modification because of the complexity involved. The DOE claims that the class 3 modifications that were applied to the DAC for the 55-gallon drums should apply to the larger containers, but again that is only an assumption that many of us do not agree with. The hearings that dealt with the DAC for 55-gallon drums brought out a number of errors and problems, proving that hearings are helpful in deciding complex issues. Since these hearings did not consider the possible differences in larger drums, we need another hearing to look closely at the consequences of applying 55-gallon criteria to larger containers.

3. Container Management

This modification would increase the maximum capacity in the Waste Handling Building almost 7 times the current maximum capacity. The parking area maximum capacity would be eliminated and the container equivalent limits would increase almost 10 times.

The notice and fact sheet are misleading because these huge increases are not described.

This PMR would change the mission of WIPP by making it a major above-ground storage facility in addition to a

040337

3/19/2004



disposal facility. There are a number of issues regarding above-ground storage that the PMR does not address, including an adequate concrete pad for the Parking Area, effects of storms and earthquakes, and the possibility of accidents. The recent gas leak from a drilling accident in Carlsbad shows that accidents from human error do happen, and there could be serious consequences if so many containers are stored above ground near a gas leak!

This PMR is not an "improvement" but a drastic scary change. It does not explain how such a change would protect human health and the environment, and we believe it could be very harmful to health and environment.

The PMR requests changes to "Type A" and "Type B" containers but does not define them. These specs should be included in the PMR so that the public citizens (who can't be expected to remember thousands of details) don't have to wade through piles of old documents to figure it out.

Thank you for your consideration of these comments. I trust that your commitment to protecting human health and the environment will lead you to deny these permit modification requests.

Sincerely,
Penelope McMullen, SL
Regional Justice & Peace Coordinator
324 Sanchez St.
Santa Fe, NM 87505
505-983-1251
pns1@osogrande.com