



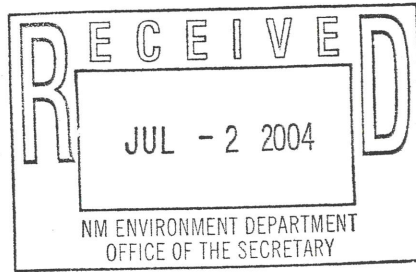
State of New Mexico
House of Representatives
Santa Fe



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June 18, 2004

Mr. Ron Curry
Secretary
New Mexico Environment Department
1190 St. Francis Drive
Santa Fe, New Mexico 87502-0110

Dear Secretary Curry,

Please find enclosed a question and answer formatted outline of the Central Confirmation Facility as I promised you.

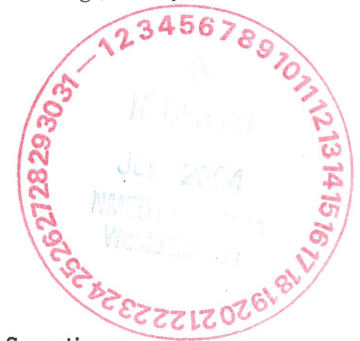
I sent a copy of the same document to Governor Richardson for his review as well.

Thanks for your time and observation of this matter.

Best Regards,

John A. Heaton
State Representative
District 55

Enclosure



copy to
James/
original back
to Ron.

040622



Courtesy of Representative John A. Heaton

Q & A

Establishing a Centralized Transuranic Waste Confirmation Facility at WIPP

What is waste confirmation?

A process for verifying that transuranic (TRU) waste containers contain only materials allowed to be disposed at the Waste Isolation Pilot Plant (WIPP), located near Carlsbad, New Mexico. This process involves checking written records and performing certain tests, such as x-raying the containers to ensure that they do not contain items that are prohibited from disposal at WIPP, such as unpunctured aerosol cans.

Where is waste confirmation currently performed?

At 7 of the 27 TRU waste storage sites located across the country. Three of sites have their own waste confirmation facilities and four are using mobile systems operated by WIPP personnel.

Why isn't waste confirmation being performed at all of these sites?

The problem is that most TRU waste storage sites do not have confirmation facilities or equipment and there aren't enough mobile systems to go around.

The cost of constructing waste confirmation facilities at the storage sites that don't have them is extremely expensive (total of more than \$100 million) and takes a long time. Money isn't available to construct these facilities or build more mobile systems, so the TRU waste at these sites just sits there and waits.

Obviously, having this waste stored above ground or in shallow burial at these sites presents risks in terms of terrorism, natural disasters like fires and tornadoes, and human error.

So, the idea is to develop a central confirmation facility (CCF) to cleanup up these sites in a timely manner, thereby reducing the risk to the public and environment.

Why is WIPP a good location for a CCF?

WIPP is the logical choice for a number of reasons. First, WIPP is the *only* disposal facility for our nation's defense-generated TRU waste. It is specifically designed for TRU waste activities, has been operating in a completely safe manner since opening in 1999, and has the personnel with the necessary knowledge, skills, and ability to perform centralized confirmation.

Performing centralized confirmation at WIPP will help ensure that the process is conducted and audited in a standardized manner. This provides the state of New Mexico

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and its citizens with even greater assurance that TRU waste containers contain only materials allowed to be disposed at WIPP.

Finally, WIPP is the logical choice in terms of shipping efficiency. It makes more sense to make one shipment (from the storage site to WIPP) than two (from the storage site to a CCF, and then on to WIPP).

Didn't the state of New Mexico have issues with a previous request to establish a CCF at WIPP?

Yes. In 2001, the state took exception to a WIPP request to establish a CCF request at WIPP. The state expressed concern that (1) CCF would shift waste confirmation responsibilities from generator sites to WIPP; (2) differences in confirmation approaches between the way large and small sites were regulated would cause problems; (3) compliance with WIPP storage capacity limits would be difficult to verify; and (4) the management of any prohibited items found during confirmation at WIPP would create problems.

So, what has changed since 2001 that makes the idea of a CCF at WIPP worth revisiting?

Plenty. Most importantly, the state's environment department has announced that it will now have personnel located fulltime at WIPP. By itself, this should address most of the oversight issues previously expressed by the state: it will be a whole lot easier for the state to audit CCF activities in-person than remotely from Santa Fe.

Since 2001 the following changes have also occurred, addressing the state's issues:

1. *Waste confirmation responsibilities*—under the new CCF approach, procedures would clearly indicate that waste generator sites would have the ultimate responsibility for waste confirmation, regardless of where the confirmation occurred. Essentially, CCF would simply be providing a service to those sites, like the WIPP mobile systems currently provide.
2. *Differences in confirmation approaches*—under the new concept, all TRU waste storage sites (large or small quantity sites) shipping waste to CCF would use the same procedures.
3. *WIPP storage capacity limits*—the new CCF concept would offer clear delineation between CCF storage and WIPP storage, ensuring that compliance with the storage capacity limits of each facility could be easily verified.
4. *Prohibited items*—the new CCF approach would call for waste containers determined during confirmation to contain prohibited items to be either be shipped to a treatment/packaging facility or shipped back to the storage sites for repackaging or treatment. Waste containers would *not* be opened at CCF.

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Would a CCF at WIPP be safe?

Yes!

- Waste will be required to meet all transportation rules and regulations before being shipped to CCF.
- The people who will run CCF come from a world-class safety culture: WIPP.
- CCF will employ state-of-the-art safety systems and processes.
- The state will closely monitor CCF compliance on a daily, on-the-scene basis.
- Shipping containers will not be opened at the CCF—it will maintain *the start clean, stay clean* approach of WIPP.

How would a CCF at WIPP benefit the citizens of New Mexico?

- Accommodate quicker cleanup of the TRU waste at Los Alamos National Laboratory, Sandia National Laboratories, and Lovelace, thereby reducing risk to our citizens and environment.
- Accommodate more oversight by the state, further ensuring regulatory compliance
- Reduce state tax dollars spent on auditing waste confirmation facilities located around the country.
- Reduce federal tax dollars spent on waste confirmation activities.
- Provide a minimum of 50 much-needed jobs in southeast New Mexico
- Do our part in supporting homeland security by ensuring that radioactive transuranic waste is moved as expeditiously as possible to the safest place: nearly ½ mile underground at WIPP.

Where can I get additional questioned answered or obtain more information about a CCF at WIPP?

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