



**Oak Ridge Reservation  
Local Oversight Committee**



October 12, 2004

Mr. Steve Zappe  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-2500

*Subject: NMED Public Notice No. 04-14, September 17, 2004 – Concerning intent to approve a Class 3 permit modification to the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant, Carlsbad, NM, EPA ID No. NM4890139088*

Dear Mr. Zappe:

The Citizens' Advisory Panel (CAP) of the Oak Ridge Reservation (ORR) Local Oversight Committee, Inc. (LOC) provides the following comments on the subject proposed action by New Mexico Environment Department (NMED). These comments are submitted by the CAP only, as the LOC Board has not had the opportunity to review and approve them.

The CAP supports the proposed permit modification. The Waste Isolation Pilot Plant (WIPP) is our nation's sole authorized and funded disposal facility for long-term management of defense transuranic (TRU) waste. The CAP is pleased that WIPP's management is being proactive in planning for future disposal needs. The LOC board has stated previously that it believes that it is much safer and far more responsible to manage TRU waste in WIPP than to store it indefinitely at U.S. Department of Energy (DOE) facilities around the country.

The ability of WIPP to support timely disposal of TRU waste is important to the ORR. In east Tennessee, TRU waste is a high-risk waste stream due to the wet climate and dense regional population. Oak Ridge has constructed and is operating a Transuranic Waste Treatment Facility at which TRU waste is separated from low-level waste to minimize the amount of TRU waste disposed of at WIPP and overall cost to the public.

The CAP's primary concern with the potential for increased rate of waste disposal is regarding the capacity of WIPP for its remote-handled (RH) TRU waste. The Oak Ridge Reservation has the largest inventory by curies of the RH TRU waste in the DOE complex that is scheduled to be disposed of at WIPP. As more contact-handled TRU waste is accepted, disposal capacity for RH TRU waste is being eliminated. WIPP must ensure that there is sufficient capacity for Oak Ridge's total RH TRU inventory. This can only be accomplished by NMED opening the site to RH TRU as soon as possible

041011



**Anderson • Meigs • Rhea • Roane • City of Oak Ridge • Knox • Loudon • Morgan**

The LOC is a non-profit regional organization funded by the State of Tennessee and established to provide local government and citizen input into the environmental management, decision-making and operation of the DOE ORR. The LOC Board is composed of elected and appointed officials from the City of Oak Ridge and the seven surrounding and downstream counties. The CAP is a stakeholder organization with up to 20 members with diverse backgrounds who represent the greater ORR region; the CAP supports Board interests by reviewing and providing recommendations on DOE decisions and policies.

We appreciate the opportunity to comment on the proposed action. Should you have any questions, please contact the LOC office at 865-483-1333.

Sincerely,



Norman A. Mulvenon  
Chair, LOC Citizens' Advisory Panel

cc: LOC Register  
LOC Board  
LOC CAP  
Gerald Boyd, Manager, DOE ORO  
Steve McCracken, Assistant Manager for EM, DOE ORO  
Inez Triay, Chief Operating Officer for EM, DOE HQ  
John Owsley, Director, TDEC DOE-O  
Pat Halsey, FFA Coordinator, DOE ORO  
Jeff Crane, FFA Project Manager, EPA Region 4  
Amy Fitzgerald, City of Oak Ridge  
Kerry Trammell, Chair, ORSSAB