



**Statement in Support of DOE's Proposal for Run-of-Mine Panel Closure at WIPP
Mayor David Coss, City of Santa Fe
EPA Stakeholder Meeting, Santa Fe - December 6, 2012**

The City of Santa Fe (the City) supports transparency and open-government as priorities in its own actions, in other governments, and for all regulatory entities involved in issues and matters handled by, or brought before, the Environmental Protection Agency and the New Mexico Environment Department (NMED) with respect to the protection of the health and environment of the citizens of New Mexico. Federal law requires that EPA, and other agencies, provide a forum where all viewpoints are heard, respected and addressed whether they involve one, or all, of the stakeholders of a proposed action or project. This forum should provide an opportunity where elected or appointed officials, governmental representatives, the members of advocacy groups, and the citizens of affected communities and states, can engage on issues of mutual concern to their respective organizations and the citizens that they represent.

Santa Fe believes that the City and its citizens, are stakeholders in all proposed actions involving the Waste Isolation Pilot Plant (WIPP) for a number of reasons including, but not limited to, its location along the major routes of waste transport to that facility. Additionally, WIPP's ability to operate efficiently and economically affects the transport of operational and legacy waste from storage at Los Alamos National Laboratory (LANL). Obviously, this is a major concern to Santa Fe and its citizens in consideration of the possible impact of that waste on the health and environment of this City and the protection of the City's major sources of drinking water. The City of Santa Fe, and all members of the Regional Coalition of LANL Communities, have supported an increase in the federal budgets for both WIPP and the EM program at Los Alamos National Laboratory to ensure completion of all deliverables called for in the LANL FY12 TRU Waste Campaign and mandated under the Consent Order issued by NMED in 2005, under the authorities delegated to the State of New Mexico by the EPA. The City obviously has a vested interest in the removal of TRU Waste from the laboratory and provisions for overall protection of the environment at LANL.

The City also understands that those persons most affected by a proposed action often represent the stakeholders with the largest "stake" in that action. DOE's proposed Panel Closure Redesign Planned Change Request for WIPP obviously impacts Carlsbad and its citizens to the greatest extent since these stakeholders will be the persons most impacted by the failure or success of this proposal. Therefore, we are supportive of Mayor Dale Janway of Carlsbad with regards to his position that all stakeholders in EPA's consideration of DOE's proposal receive equitable treatment from the EPA and that the universe of stakeholders reached by EPA be as diverse as possible. Santa Fe would ask the same on behalf of its citizens and elected officials with respect to any federally proposed action or project which might occur in, or significantly impact, our city. Since DOE's proposed Panel Closure Redesign is foremost a site issue, I agree the concerns and input of citizens and local governments in close proximity to WIPP should be a priority to the EPA in its evaluation and consideration of the DOE's proposal. Likewise, the transportation of WIPP bound waste affects thousands of people along designated transportation routes and should be appropriately weighted and considered by EPA with respect to any new transportation hazards that might result from DOE's proposal.

It is my understanding that the Panel Closure Redesign proposed by DOE does not increase the likelihood of occupational, operational or environmental exposure to explosive gases, or the potential for increased exposure to volatile organic compounds (VOCs). Furthermore, DOE studies in support of the proposal have indicated that its proposed "Run-of-Mine Panel Closure"

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(ROMPC) system will contain VOCs as effectively as the concrete block/isolation wall panel closure system specified in EPA's "Final WIPP Certification Decision" issued on May 18, 1998, pursuant to the requirements of 40 CFR Part 194. DOE's supporting technical analysis for their proposed redesigned panel closure system concludes that the ROMPC design will contain VOCs to below regulatory limits, and therefore perform its desired function of protecting workers, the public, and the environment before repository closure. After repository closure, DOE's analyses also confirm that the long term performance of the revised design will be very similar to that for Option D already certified by EPA and the impact of the proposed new closure on long-term performance is within all EPA limits and requirements.

In conclusion, the City of Santa supports EPA's favorable consideration of the proposed WIPP panel closure redesign based on the analyses provided with DOE's planned change request. These analyses demonstrate that the redesign will meet all EPA limits and requirements and will perform their function as effectively as the design specified in EPA's 1998 "Final WIPP Certification Decision". The redesign will not only perform the intended functions of a panel closure system but will do so at a significantly lower cost than the option already approved by EPA. Any cost-savings resulting from the new design can be focused on the removal of TRU waste from federal facilities, such as LANL, providing for the further protection of citizens of cities and communities such as Santa Fe.

If you wish to discuss this statement in further detail, I can be reached at (505) 995-6590. Additionally, you can contact Alex Puglisi of the City's staff at (505) 665-4232, with any additional technical or regulatory comments or questions pertaining to the City's statement of support.