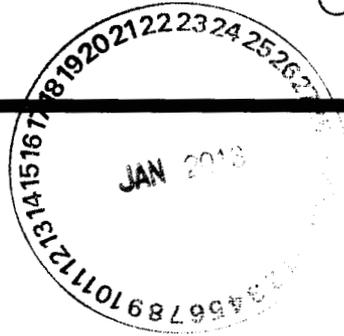


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January 16, 2013



ENTERED

DALE JANWAY
MAYOR

JON R. TULLY
CITY ADMINISTRATOR

Ms. Trais Kliphuis
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, N.M. 87505
Trais.kliphuis@state.nm.us

Dear Ms. Kliphuis:

My name is Dale Janway, and I'm proudly serving the City of Carlsbad, New Mexico, as its Mayor. Today I'm addressing the Class 2 permit modification request package submitted to the New Mexico Environment Department by the Department of Energy on December 12, 2012. I will be submitting these comments on the record to the New Mexico Environment Department as well.

First of all, thank you all for attending the meeting to discuss this topic. I appreciate the New Mexico Environment Department's efforts in putting together a very comprehensive regulatory process to make sure that WIPP is safe. Most importantly, I very sincerely want to thank all of the members of the public who are here today to learn about this process. We often talk about how proud this community is of WIPP, but I also want to stress that we have an incredible thirst for knowledge when it comes to the Waste Isolation Pilot Plant. The residents of this community have a strong background in mining and the extractive industries, and we're always happy to join in on discussions involving these topics.

Today's permit modification would revise the Waste Analysis Plan characterization methods so that waste characterization would be accomplished using acceptable knowledge and radiography or visual examination. Chemical sampling would no longer be a requirement when deciding what is to be sent to WIPP.

I consider this proposed change to be fair and reasonable, given my understanding of the issue. It is my understanding that, throughout the almost 14 year history of WIPP, there has never been a case where chemical sampling has changed the designation of what is in a WIPP drum. In other words, the other methods of examining the drums that are being sent to WIPP have provided a completely accurate profile about what is going to WIPP. Waste that should not be sent to WIPP is not sent to WIPP.

Redundancies are important at WIPP. We want everything examined from multiple angles, but there will still be redundancies in characterization even without chemical sampling. Approving this permit modification would simply eliminate what we now know is an expensive and ineffective means of identifying waste.

Price is not the top priority at WIPP. Safety is the top priority. But if the DOE can show that something can be done just as safely for the same price, then it is worthwhile. Chemical sampling is extremely



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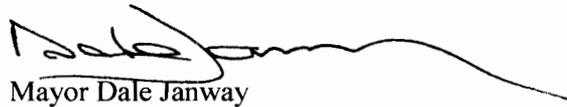
DICK DOSS
JANELLE E. WHITLOCK

expensive and DOES NOT provide us with any information we are not getting from other sources through multiple means.

It's also worth noting that there are steps before and after the characterization process. All of the states that send waste to WIPP have hazardous waste rules of their own. On the other end of the process, WIPP will continue its extensive monitoring system at the site to make sure that there are no chemical release issues.

Let's not lose site of the goal of the characterization process. We're doing this to make sure the contents of the drums that are sent to WIPP are understood and can be properly handled. In my opinion, this change will in no way impact the safety of WIPP's workers.

Thank you for your presentation today,



Mayor Dale Janway