

Kliphuis, Trais, NMENV

 **ENTERED**

From: Kyle Marksteiner <kmarksteiner@yahoo.com>
Sent: Wednesday, February 06, 2013 12:21 PM
To: Kliphuis, Trais, NMENV
Subject: Heaton comments Class 2
Attachments: wippclass2heatontostate.pdf

Good afternoon:

Attached are John Heaton's comments on the Class 2 permit modification request involving chemical sampling.

Kyle Marksteiner



February 6, 2013

To Trais.Kliphuis@state.nm.us

Dear Ms. Kliphuis:

Thank you for the opportunity to comment on the Department of Energy's Class 2 Permit Modification request to allow changes to the permit allowing disposal of hazardous materials at WIPP. This particular permit modification would eliminate the need for chemical sampling (through headspace testing and core sampling) before making the determination that a given waste stream of transuranic (TRU) mixed waste can be sent to WIPP.

In order to feel confident that this permit modification would not create a safety risk for either WIPP's workers or members of the community, I and several other members of Mayor Dale Janway's nuclear task force reviewed this request. We met with DOE employees and WIPP contractors on several occasions to ask questions, and we appreciate their diligence in providing us with the answers. Our goal was to understand this request and make sure, from our point of view, that this is a safe change.

After this extensive review, we have come to the conclusion that this permit modification does not reduce the safety of WIPP workers because they are protected by sampling the workplace environment directly, and not through sampling that is conducted thousands of miles away. We encourage the State of New Mexico to approve this proposed modification.

Our concern related to this issue is the men and women who work at WIPP making sure this change in no way increases the risk of exposure to harmful chemicals. We believe that monitoring in the WIPP underground is clearly the best preventive measure for this concern. WIPP's routine air sample collection for target gases down to part per billion sensitivity, and the process of isolating rooms when they are filled, is a vastly superior approach and is much more protective of the worker than chemical sampling of the waste containers themselves at a distant laboratory. Solids sampling by coring through solidified (usually cement) serves no useful purpose, because knowledge of the chemical content of the drums is known and because there is no liquid in the mine, there is no natural pathway for a solid to escape its matrix. Drilling into solids at the distant laboratory also puts workers there at risk unnecessarily.

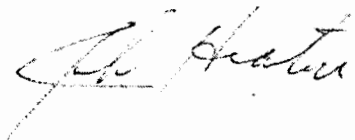
Another key to understanding this proposed change is the fact that it will in no way alter the rigorous requirements of what can be sent to WIPP. The historical data and records of what is in the drum (called acceptable knowledge), radiography (X-ray) and/or visual examination, and

radioactivity measurement requirements remain the same and have been proven to be sufficient to show whether a drum meets the requirements for shipment to WIPP. A waste drum that does not meet these requirements is not sent to WIPP.

The option of chemical sampling is still available, if needed, and the transportation system will independently confirm no flammable or explosive contents are in any shipment. The funding saved from this change should be invested in needed improvements at WIPP, such as infrastructure.

Most significantly, a monitoring system at WIPP ensures that WIPP's waste handlers and miners are not being exposed to dangerous levels of chemicals. WIPP's rigorous commitment to safety, if this permit change is approved, will be as strong as it always has been.

Thank you for the opportunity to comment,

A handwritten signature in cursive script, appearing to read "John Heaton".

John Heaton
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