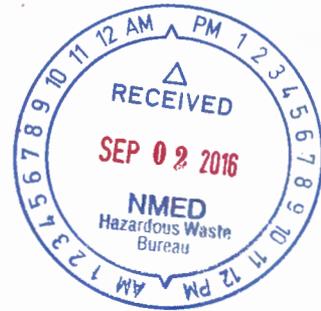




Department of Energy
 Carlsbad Field Office
 P. O. Box 3090
 Carlsbad, New Mexico 88221



ENTERED



SEP - 1 2016

Mr. John E. Kieling, Bureau Chief
 Hazardous Waste Bureau
 New Mexico Environment Department
 2905 Rodeo Park Drive East, Building 1
 Santa Fe, New Mexico 87505

Subject Evidence of Mailing to the Waste Isolation Pilot Plant Facility Mailing List and Publications of Notification for a Class 2 Permit Modification Request, Permit Number NM4890139088-TSDF

Dear Mr. Kieling:

The purpose of this letter is to provide the New Mexico Environment Department with the information identified in 20.4.1.900 New Mexico Administrative Code (NMAC), incorporating 40 CFR 270.42(b)(2), regarding the following permit modification request:

- Class 2 Permit Modification Request (PMR) entitled *Revise the RCRA Contingency Plan and Associated Emergency Response Personnel Training and Active Room Ventilation Flow Rate*, submitted to the NMED on June 3, 2016

This evidence is included in Enclosure 1 and is summarized below:

- June 8, 2016, invoice from Mail Service Center, Carlsbad, New Mexico for duplication and mailing of the PMR to the facility mailing list
- June 8, 2016, Public Notice from the Albuquerque Journal
- June 8, 2016, Public Notice from the Carlsbad Current-Argus
- June 8, 2016, Public Notice from the Santa Fe New Mexican

We certify under penalty of law that this document and all attachments were prepared under our direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on our inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of our knowledge and belief, true, accurate, and complete. We are aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If you have questions regarding this submittal, please contact George T. Basabilvazo at (575) 234-7488.

Sincerely,

Todd Shrader, Manager
 Carlsbad Field Office

Philip J. Breidenbach, Project Manager
 Nuclear Waste Partnership LLC

cc: w/enclosure
 R. Maestas, NMED *ED
 C. Smith, NMED ED
 CBFO M&RC
 *ED denotes electronic distribution



Enclosure

Class 2 Permit Modification Request

Evidence of Mailing to the Facility

**Mailing List and Copies of Public
Notices**

4 pages

MAIL SERVICE CENTER

522 W. MERMOD
CARLSBAD, NM 88220

Invoice

Date	Invoice #
6/8/2016	1035657

Bill To
WIPP/ BOBBY ST. JOHN PO BOX 2078 CARLSBAD, NM 88220

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
		AC	6/8/2016			

Quantity	Item Code	Description	Price Each	Amount
869	COPIES	IN HOUSE PRINTING	0.12	104.28T
869	COPIES	IN HOUSE PRINTING 2 SIDED	0.24	208.56T
1,738	FOLDING	FOLDING	0.05	86.90T
1,738	INSERTING	INSERTING	0.06	104.28T
869	METERING	METERING POSTAGE	0.42	364.98
869	ADDRESSING	ADDRESSING MAILERS	0.20	173.80T
869	APPLYING LABE...		0.12	104.28T
		SALES TAX	7.5625%	59.15

Total			\$1,206.23
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Libertarian slate deserves fair coverage

The press may want to ignore the Johnson-Weld ticket, but they should be treated as serious candidates

BY JENNIFER RUBIN
THE WASHINGTON POST

Gary Johnson, the former New Mexico governor, recently won the Libertarian Party nomination for president with former Massachusetts governor Bill Weld as his vice president.

Johnson is an impassioned proponent of the party's small government message, and he told the crowd he thinks most people are Libertarians but don't know it. At a news conference, he made a play for free voter, saying what started out as a fiscal, small-government movement was captured by Republicans, especially social conservatives. He says his party is the real "home" for such voters. Johnson eschews some of the wackier Libertarian positions, such as he favors driver's licenses and the Civil Rights Act (C).

Johnson espouses the small-government, laissez-faire views of the party, vowing to cut government and reduce taxes. They do not believe government should limit marriage to heterosexuals or prohibit abortion. He also, to the consternation of many Republicans who might otherwise support him, has adopted the neo-isolationist stance now in his party hold.

However, as Richard Epstein and others argue, a strong national defense and protection of U.S. power to secure commerce and ensure a more stable world are in no way incompatible with the Libertarian philosophy. Epstein wrote:

"Libertarian theory, then, has always permitted the use and threat of force, including deadly force if need be, to defend one's self, one's property, and one's friends. ... Correctly stated, a theory of limited government means only that state power should be directed exclusively to a few legitimate ends. The wise state husband its resources to guard against aggression, not to divert its energies by imposing minimum wage laws or agricultural price supports on productive market activities. Quite simply, there are no proper means to



purse these illegitimate ends. ... There is nothing in Libertarian theory that justifies dithering at home as conditions abroad get worse by the day.

"A nation that believes in the primacy of liberty has to defend it at home and abroad, and do so over the long haul, without imposing artificial deadlines on its military commitments. Our enemies place no such limits on their efforts to kill and uproot innocent people. Our limited airstrikes have shown that force can make a positive difference. Only a fresh willingness to confess error about the president's decision to remove ground troops from Iraq and keep all American forces out of Syria can reverse the present downhill trend. Containment is wishful thinking, not a stable option. Sadly, where the Islamic State goes, there we must ferret them out."

Johnson so far offers no sign he is inclined toward Epstein's view. Perhaps he will "evolve" over the campaign.

At any rate, Johnson and Weld have more executive governing experience than the two major candidates. They currently draw 10 percent in many national polls. Both major parties will attempt to ignore them, but the media's reliance on Donald Trump's exploitation of their thirst for ratings in the primary season — should think carefully about how to cover Johnson-Weld.

These rules seem to comport with fairness and the obligation to educate the voters:

1. Johnson-Weld should be included in all major polling, especially since 15 percent in national polls is required to get into the presidential debates.
2. In figuring out how to balance air time, the

media rightly complains Hillary Clinton is not available nearly as much as Trump. That excuse, however, does not wash with Johnson-Weld, who should be interviewed on a regular basis.

3. In treating Johnson-Weld as normal candidates the media should press for questions on key issues. What do they plan to do about the Islamic State? If they cannot get a flat tax, what sort of tax reform do they favor? If they disband the Education Department, should federal funding for schools disappear? What drugs would they legalize? In other words, treating them as serious candidates requires serious questions.

4. They owe the voters an exploration of the governors' records, past positions, successes and failures. Were they successful as governors? How would that translate into national policies?

5. The media should look at Libertarian voters. Who are they? Are they all, or mostly, white, young males?

6. The media should allow Johnson-Weld to make their case against both major party candidates. Johnson has called Trump's immigration policy "racist." Is that justified? Why is Clinton, in their minds, not acceptable as president? Johnson will make arguments the two candidates will not make against one another (e.g. on free trade). The media then should be obliged to ask Trump and Clinton to respond.

In sum, this is an election like no other we have seen in generations. The major parties are splintering. A nonpolitician, nonconservative won the GOP nomination. The least the media can do is not prejudice the result nor prevent two perfectly qualified, accomplished governors from making their case to the voters.

NM should take advantage of its bilingualism

State has unique opportunity for bilingual early childhood programs

BY ADRIAN PEDROZA
COMMISSIONER, PRESIDENT'S ADVISORY COMMISSION ON EDUCATIONAL EXCELLENCE FOR HISPANICS
AND EDWARD TABET-CUBERO
COALITION FOR THE MAJORITY

Recently, the Obama administration announced a set of policy recommendations related to the benefits of incorporating bilingual instruction into early childhood education and development programs. The U.S. Departments of Education and Health and Human Services report that, through participation in high-quality dual-language immersion programs — which are open to children from all language backgrounds, including English — children can attain the bilingual skills necessary to prepare them for a competitive global economy. Further, the administration cites 40 years of research confirming the cognitive, social and academic benefits of children receiving an education in more than one language. As the state with the highest percentage of Hispanics and Native American tribes, New Mexico's history of multilingualism uniquely positions us to lead the country in dual-language early childhood education.

According to the U.S. Census, 36.5 percent of New Mexican households report utilizing a language other than English. Many of these families speak English in addition to Spanish or other indigenous languages, making bilingualism a way of life in our state. Our multilingualism is a valuable asset, which we risk losing unless we invest boldly in building a bilingual teaching force and a dual-language early childhood education system.

With over two-thirds of children around the world growing up with more than one language from birth, we must put the "English-only" rhetoric to rest once and for all. New economies recognize that speaking, reading and writing in more than one language make us more competitive and opens global career opportunities. In New Mexico, our multilingualism is deeply rooted in our history and culture, and specifically protected in our state constitution, government and K-12 education systems. However, a similar focus on bilingualism does not yet exist in early childhood programming. Given that 90 percent of brain development occurs before the age of six, we should expand the support of bilingual development to include early childhood programs.

Here, in New Mexico, we can build a dual-language early childhood education system by doing the following:

- Fully funding early childhood education to ensure children have access to bilingual home visiting, childcare, early learning and preschool;
 - Increasing the awareness within our communities that children can learn more than one language beginning at birth and that children who participate in dual-language education programs outperform their monolingual peers on academic tests;
 - Investing in building a certified bilingual early childhood workforce; and
 - Increasing the number of quality licensed early childhood providers throughout the state.
- It's time for New Mexico to leverage one of our people's greatest assets, our bilingualism, to become the national leader in dual-language early childhood education. Our children deserve it and they are ready.

How do we know which kind of milk is best?

Misinformation surrounding milk can leave some people wondering if they should drink it at all

BY STEPHANIE TIERNEY
REGISTERED DIETITIAN, NUTRITIONIST

As a registered dietitian, I observe a lot of nutrition misinformation. When it comes to milk, misinformation runs rampant and leaves the health-conscious person wondering if they should drink milk. Does it contain hormones? What about antibiotics? Is organic better?

Bovine somatotropin (BST) is a natural hormone produced by cows that signals them to make milk. A synthetic form of BST was approved by the Food and Drug Administration in 1994 to allow dairy farmers to inject cows with additional BST to increase milk production. According to the FDA's extensive analysis, the majority of BST, natural or synthetic, is destroyed during pasteurization and any minimal amount remaining is digested and inactive in the body. The FDA concluded that milk from cows treated with BST is safe for human consumption. Confusing labeling led some individuals to incorrectly assume that BST was harmful, even though BST can be present in small amounts in milk from cows treated and not treated with BST. This misunderstanding led consumers to demand milk from cows not treated with BST. According to Dairy Max, which represents New Mexico's dairy farms, they do not use synthetic BST to increase milk production in their cows.

According to the dairy industry, antibiotics are given to cows that are sick. During the time the cows are being treated, they are removed from milk production. Under federal law, all milk is

tested for the presence of antibiotics and is immediately discarded if detected. It is illegal for dairy farms to sell milk containing antibiotics. A concern is some dairy farmers may over use antibiotics and promote antibiotic-resistant bacteria. According to the FDA's annual milk sampling survey to measure compliance with law, 99 percent of samples were free of antibiotic and drug residues.

- Organic milk must meet the following rules:
1. Cows producing the milk must have at least 30 percent of their diet from pasture grazing.
 2. Cows cannot be treated with antibiotics. If a cow is sick and receives antibiotics, it cannot be used for milk production for 12 months.
 3. Cows are not treated with synthetic BST.
 4. Cows cannot consume feed treated with synthetic pesticides.

Organic milk basically describes the farming techniques of the dairy farm and not the quality or safety of the milk. Cows on organic farms have greater access to grazing, but as much as 70 percent of their diet can be from other food sources besides grass. Cows on conventional farms are treated with antibiotics when they are sick and are also removed from milk production during their treatment, but are not banned for 12 months. Both organic and non-organic milk are tested for antibiotics by law. In New Mexico, all dairy farmers — conventional and organic — voluntarily avoid using synthetic BST. Although pesticides are not allowed on feed for cows producing organic milk, the USDA allows some "natural" plant extracts, pathogens and fungal derivatives that can be used as pesticides. The USDA Pasture Data Program annual summary found milk has almost no detectable pesticide residue.

Nutritionally speaking, organic and non-organic

milk are identical. A 2008 study from the Academy of Nutrition and Dietetics compared the nutrition content, safety and quality of conventional milk, milk from cows not treated with BST and certified organic milk. They found no measurable differences. A gallon of organic milk is between \$4 and \$6, while non-organic milk is between \$2 and \$4. Milk is a healthy source of nine essential nutrients, including calcium, vitamin D, vitamin A, riboflavin, potassium and phosphorus, and provides 8 grams of protein per 8-ounce serving. Unless you have a milk allergy, there is little reason to avoid milk products. The choice of organic or not is a personal decision, but remember, in New Mexico, the biggest difference may just be the price.

Public Information Meetings Requested Modification to the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant

WHO: U.S. Department of Energy (DOE) Carlsbad Field Office and Nuclear Waste Partnership LLC (NWP)

WHAT: DOE and NWP will conduct public meetings to provide information on the following permit modification request to the WIPP Hazardous Waste Facility Permit.

WHEN: Tuesday, June 28, 2016 3 - 5 p.m.
Thursday, June 30, 2016 5 - 7 p.m.

WHERE: Carlsbad by Marriott 3347 Carrillos Road Santa Fe, New Mexico
4021 National Parks Highway Carlsbad, New Mexico

WHY: On June 3, 2016, DOE submitted a Class 2 permit modification request package to the New Mexico Environment Department (NMED). The permit modification request proposes the following:

- Provide the Permittees to use alternative measures for underground waste disposal operations when the required room ventilation rate cannot be met. These alternative measures would continue to ensure the safety of the personnel performing these operations.
- Provides the Permittees the ability to propose and alternative remedial action plan to the Secretary in lieu of closing the active room if the requirements of Permit Part 4, Section 4.6.2.3, cannot be met.
- Reduces the minimum air velocity value in Attachment A2
- Simplify the Resource Conservation and Recovery Act (RCRA) contingency plan implementation criteria.
- Address the new WIPP site department.
- Revise the minimum running annual average mine ventilation exhaust rate
- Revise and update Resource Conservation and Recovery Act Contingency Plan.
- Revise emergency response personnel job descriptions and training.
- Editorial changes.

HOW: To obtain additional information about the permit modification request, contact Mr. Bobby St. John, NWP at 1-800-335-8477. The permit modification is also available on the WIPP web site at <http://www.wipp.gov> and at the WIPP Information Center, Shuen-Whitlock Building, 4021 National Parks Highway, Carlsbad, NM. A copy of the requested permit modification may also be obtained from NMED at the address listed below.

COMMENTS: Written comments for the record must be sent to the NMED contact person at the address below and received no later than 5 p.m., on August 6, 2016.
Mr. Ricardo Meeles
New Mexico Environment Department
2806 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505
Phone: 505-778-6050
Fax: 505-475-6030
E-mail: ricardo.meeles@state.nm.us

The Permittees compliance history during the life of the Permit being is available from Mr. Meeles at the New Mexico Environment Department.

QUESTIONS: Any questions or comments to the Permittees regarding this permit modification request may be sent to Mr. Bobby St. John, P.O. Box 2078, Carlsbad, NM 88221 no later than August 1, 2016.

WIPP Permit Community Statuses Plan

Online: www.wipp.gov Phone: 866-271-4141 Email: community@wipp.gov

Letter policy

The Albuquerque Journal welcomes letters expressing opinions on news and commentary that have been published in the newspaper. Letters should be no longer than about 350 words. Brevity columns of up to about 650 words will also be considered for publication. All submissions accepted for publication are subject to editing and may appear in print or electronic form, including on the Journal's internet website and in its searchable archives and databases. All submissions must include a writer's first and last name (which will be published) and home address and telephone number (which only will be used to verify authorship). Letters sent through the post office should be signed.

Submit online through our website using your internet browser (not email) at <http://www.abqjournal.com/letters>

or via the post office: Letters to the Journal; P.O. Drawer J; Albuquerque, NM 87103.

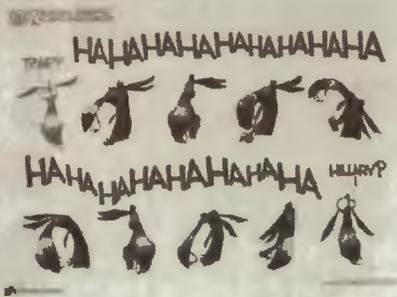
Editorial

New federal payday lending rules a start

When the Federal Reserve Board announced its new rules for payday lenders, it was a landmark decision. For the first time, these lenders will be held to the same standards as banks and credit unions. The rules are a start, but more needs to be done to protect consumers from predatory lending practices.

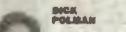
There are a few reasons why these rules are a start. First, they will help to reduce the number of payday loans that are taken out by consumers who are unable to pay them back. Second, they will help to reduce the number of payday loans that are taken out by consumers who are unable to pay them back.

Cartoonist's take



Commentary

Trump hits a new low with his attack on Judge Curiel



President Donald Trump's attack on Judge Gonzalo P. Curiel is a new low in his behavior. Trump has accused Judge Curiel of bias against him, despite the fact that Judge Curiel has never ruled against Trump in any of his cases.

Trump's attack on Judge Curiel is a clear attempt to intimidate the judiciary. It is a violation of the Constitution and a clear attempt to undermine the rule of law. We must stand up to Trump and his actions.

Cartoonist's take



Commentary

Taking the courage to stand up to the environmental bullies

It is time to stand up to the environmental bullies. We must take action to protect our planet and our future. We must demand that our government and our corporations take responsibility for their actions.

The environmental bullies are the big oil companies, the big pharmaceutical companies, and the big agribusinesses. They are the ones who are polluting our planet and destroying our environment. We must stand up to them and demand that they stop.

Report: School suspensions decline

Discipline disparity is vast for black, white students

By David S. Shields

WASHINGTON — New government data shows a decline in school suspensions across the country, but a vast disparity remains between black and white students.

The U.S. Department of Education reported that the number of suspensions in public schools fell by 10 percent from 2012 to 2013. However, the rate of suspension for black students is still more than twice that of white students.

Dishgas - god news

Superhero comic book publisher DC Comics announced that it is launching a new line of comic books. The new line will focus on characters from the DC universe who are not superheroes.

Dishgas - bad news

Black graduation rates are still low, according to a new report from the U.S. Department of Education. The report shows that only 60 percent of black students graduate from high school.

Chemis about town

Chemical companies are looking for ways to reduce their carbon footprint. One way to do this is by using renewable energy sources like wind and solar power.

School suspensions and race

Black students were disproportionately suspended from K-12 public schools in the 2013-14 academic year, according to an Education Department report.

Suspensions of K-12 students



Public Information Meetings

Public Information Meetings regarding the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant. The meetings will be held on June 23, 24, 25, and 26, 2014. The meetings will provide information about the permit and the facility.

A NOTE OF THANKSGIVING FROM THE FAMILY OF DOMINGA 'MINDA' DOMINGUEZ

A note of thanksgiving from the family of Dominga 'Minda' Dominguez. The note expresses gratitude for the support and love of family and friends during a difficult time.

PUBLIC NOTICE/NOTICIA PÚBLICA

Public notice regarding the application for a permit to discharge into the Los Angeles River. The notice provides information about the application process and the deadline for comments.

Taste of Home

Busy Family Meals

Advertisement for Taste of Home Busy Family Meals. The advertisement features images of various meals and provides information about the program, including how to sign up and the cost of the meals.

First-timers among Santa Feans who voted in primary

By Robert Nett
The New Mexican

A cheer went up at the Santa Fe County Fairgrounds voting site for Precinct 66 when 17-year-old Jason Santos cast a ballot for the first time in his life. The teenager, who turns 18 in July, said, "It's exciting to know that I am voting for the next president of the United States of America for the first time."

Santos, who says presidential candidate Bernie Sanders speak in Santa Fe in May, said "all the things he believes

in, I believe in, too," including affordable health care and free college.

Santos falls under the new state guideline allowing teens who turn 18 by the Nov. 8 general election to cast ballots in the primary.

He was one of roughly 300 voters who showed up to cast a ballot at the fairgrounds by 10:45 a.m. Poll workers there decided to let out collective cheers whenever first-time voters showed up.

Mike Friestad, 63, still recalls casting his first vote in 1971 when he was 18. "It was like for the library board or some-

thing," he said shortly after turning in his ballot at Gonzales Community School on West Alameda Street.

Friestad said it is good that the state is now allowing 17-year-olds to vote. "When young people do it once, it stays with you your whole life," he said.

"To earn the right to complain, you have to vote," Friestad said. "It is our responsibility."

A woman who only gave her name as Sally voted for Santos at Montezuma Lodge. "He's the only candidate who speaks to me and for me," she said.

Voting she said, "is a privilege and an honor, especially when you realize that so many people in the world do not have that privilege."

Nearby, 31-year-old Kacie Capps proudly slipped on a "I Voted Today" sticker on her hospital uniform. Voting is vital, she said, "for people to have their voices heard."

Donna Karaba, who was on her way to do some river rafting, also cast an early vote, saying, "Every vote counts. At least we want to believe so."

Walking out of Fort Marcy after casting her vote, Lisa Martinez, who was accompanied by her 5th grader, said eligible voters should take advantage of the opportunity to have their voices heard.

"We need someone who will represent us," she said. "This state needs a lot of help — health care, education, jobs."

Though she declined to say who she voted for, she did say, "I'm a Republican, but I wish I had switched to Democrat."

Contact Robert Nett at 505-986-3021 or rnett@sfnewmexican.com.



Anika Montoya, 8, of Santa Fe plays at the Bicentennial Pool with her cousins Tuesday during its opening day. Due to corrosion and needed parts, the 40-year-old pool opened five days later than usual. (LUCY VAREZ/SATURDAY NEW MEXICAN)

After extensive repair work, Bicentennial Pool reopens

Swimming facility in compliance with safety rules after renovations

By Rebecca Moss
The New Mexican

Ryan Sinton watched only briefly as a young girl struggled to swim the expanse of Santa Fe's Bicentennial Swimming Pool on Tuesday morning. Her siblings stalled, then halted entirely. And as she failed to propel herself back into shallow waters, Sinton said he jumped in, rescoping the child out of the 3-foot depths that had threatened to envelop her.

Sinton, 23, is a supervisor at the city's only public outdoor pool, which, after more than a month of extensive renovations and the OK of the state Environment Department, reopened Tuesday, five days later than usual.

By 11 a.m., the day had grown hot and around 50 people were poolside, a group dominated by young children, grandparents and elementary school students on an outing with the Children's Adventure Company. The smell of chlorine and well-slathered sunscreen filled the air between the candy-bite walls of the entryway and a gaping-mouthed frog slide, chuked with a band of caution tape, at the kiddie pool in the back of the center.

Rosalind Salz, 56, dangled her legs into the pool as her niece Ashlyn, 3, splashed nearby.

"She was all excited since last night," Salz said of her niece. "I like it because I feel safe here."

But things looked very different when the tarp was pulled off the pool in late April. Algae pervaded the water, turning it purplish

green and swamp-like, Sinton said.

The fire department was called in to pump out 100,000 gallons of sludge and the city's graffiti crew used their tools to remove vegetation from the then-empty vessel. Replacement parts were hunted down from Florida to take the place of the drains that had rusted, all for a total cost of \$5,000.

The maintenance, as well as budget delays that only allowed the pool to become fully staffed as of Tuesday, mechanical problems and a postponed inspection from the state Environment Department were the reasons why the Alto didn't open Memorial Day weekend the way it normally does.

According to the results of the state inspection on Monday, which assessed 95 safety factors, the pool still must install safety signs, an emergency telephone and repair or replace an inoperable emergency shutoff switch for the filtration valve. The report states that these issues must be corrected before the facility can open, but pool officials said a compromise was reached with the state in order to open Tuesday.

"Protection of public health and safety through statewide standards" for pools is, "one of the top priorities" of the department's environmental health bureau, said Allison Scott Majure, a spokeswoman for the New Mexico Environment Department.

"Our safety standards are up to par," said Liz Roybal, the Recreation Complex Manager for the city, who has been with the city for 10 years and at the Bicentennial

Pool for half that time. She said the facility is in compliance now, but the fixes needed are "not minor."

As part of the 2008 Virginia Graeme Baker Pool and Spa Safety Act, pool officials are required to monitor and cap the filtration drains at the bottom of the pools, the forceful suction of which can swallow jewelry and sometimes larger, even living, objects.

The act was passed after a 7-year-old girl, for which the law is named, became trapped and died from the strong suction of a hot tub filtration drain at a pool in a Washington, D.C., suburb.

Roybal said the pool's drains and emergency system are in compliance, but the backup switch still needs to be fixed. "I'm looking at a 40-year-old pool," Roybal said. "Pools are a very difficult animal."

Through a \$20,000 capital outlay grant, the pool also will replace its aging elephant structure and frog slide in the kiddie area with a smiling crocodile slide and Crayola water fountains.

Roybal said the pool expects to generate \$45,000 in revenue by the time the season closes on Labor Day, and is often at capacity. Admission fees range from \$1 to \$3, depending on the age of the swimmer.

"No pool in the country makes money," she said, "but it's a great venue to teach our kids an important life skill and a long-term fitness exercise that can benefit their quality of life forever."

Contact Rebecca Moss at 505-986-3021 or rmoss@sfnewmexican.com.

Arrest made in voter fraud probe

Campaign volunteer accused of falsifying two absentee ballots in Española council race

By Uriel J. Garcia
The New Mexican

After a three-month investigation, state police have arrested a 21-year-old man on suspicion of voter fraud in the Española city election that saw an incumbent councillor lose his seat by two votes.

The defendant is Dyon Herrera, who was a campaign volunteer for now-Councilor Robert Seeds.

Seeds defeated former Councilor Cory Lewis 238-236 in the March election. What stood out was that Seeds received 94 votes by absentee ballot — two times more than the combined total of seven other candidates for City Council seats. Lewis received 10 votes by absentee ballot.

Herrera is charged with two counts of falsifying signatures on two absentee ballots and one count of falsifying a signature on an application for an absentee ballot. All are fourth-degree felonies.

The two ballots Herrera is accused of falsifying were flagged as suspicious by the City Clerk's Office and disallowed.

State police arrested Herrera on Monday on a warrant signed by a Magistrate Court judge. Herrera was in the Rio Arriba County jail in Tierra Amarilla in lieu of \$1,500 cash-only bond.

Sgt. Elizabeth Armijo, a spokeswoman for the state police, said Tuesday she didn't know if more arrests would be made.

In the affidavit seeking Herrera's arrest, state police officer Hector Vacio said the

department's investigation found fraud in at least some of the absentee ballots.

"A review was done on all absentee ballots that were submitted from District 4 in Española and there were absentee ballots which had discrepancies in the signatures," Vacio wrote.

The officer did not specify how many absentee ballots may have been fraudulently signed, other than the two that led to criminal charges.

Lewis, saying the election was stolen from him, previously filed a civil suit asking a judge to throw out all the absentee ballots in his race with Seeds.

Unclear is what effect, if any, the criminal investigation will have on Lewis' civil suit. Lewis said he learned of Herrera's arrest on Tuesday. "I will consult with my lawyer to see what the plan will be. I will let justice take its course," Lewis said.

Seeds and his lawyer, Yvonne Quintana, did not respond to messages seeking comment.

A judge allowed Lewis and his attorney to do their own investigation of the civil suit by reviewing the envelopes in which absentee ballots were submitted. Voters must sign the envelopes and the voter registration card.

Lewis' lawyer recently listed 23 voters who may not have signed the envelopes for absentee ballots submitted in their name.

State police began their investigation because Española city officials suspected that Herrera had signed two absentee ballots and one absentee ballot application.

But, Squires' letter says, the election official reported looking out the window and saw only Seeds' wife, Herrera and Lopez in the vehicle.

Contact Uriel Garcia at 505-986-3062 or ugarcia@sfnewmexican.com. Follow him on Twitter @ujgarcia99.

Anna Squires, the Española city clerk, triggered the police inquiry when she wrote a letter some two weeks before Election Day in which she asked the Secretary of State's Office for advice on what to do about possible voter fraud through absentee ballots.

"We did our part," Squires said Tuesday. Squires' letter says Seeds' wife, Laura Seeds, showed up at an early voting site in February with Herrera.

Herrera said his grandparents needed new absentee ballots because his grandfather had accidentally ripped up the originals, mistaking them for junk mail.

The next day, Herrera showed up with the torn ballots. An election official taped the ballots and put them in sealed envelopes for delivery to the couple, the letter says.

The election official reported that she watched through a window as Herrera himself opened the envelopes.

In a second instance that Squires cited in her letter, Laura Seeds showed up with Herrera and another woman, Dayis Lopez, at the same early voting site. Lopez said she was delivering her four siblings' absentee-ballot applications, but an election official noticed that one of the applications wasn't signed.

Herrera took the application out of the office, the clerk's letter states. Laura Seeds told the election official that Lopez's brother was outside, in her vehicle, and that Herrera would get him to sign the application. Herrera returned with a signed document.

But, Squires' letter says, the election official reported looking out the window and saw only Seeds' wife, Herrera and Lopez in the vehicle.

Contact Uriel Garcia at 505-986-3062 or ugarcia@sfnewmexican.com. Follow him on Twitter @ujgarcia99.

Public Information Meetings Requested Modification to the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant

WHO: U.S. Department of Energy (DOE) Carlsbad Field Office and Responder Waste Partnership LLC (RWPP)

WHAT: DOE and RWPP will conduct public meetings to provide information on the following permit modification request to the RWPP Hazardous Waste Facility Permit.

WHERE: Tuesday, June 28, 2016 3 - 5 p.m. Thursday, June 30, 2016 5 - 7 p.m.

WHERE: Carlsbad by Marriott 2567 Carlsbad Blvd. Santa Fe, New Mexico. Sheen-Whitlock Building 4021 National Parks Highway Carlsbad, New Mexico

WHY: On June 3, 2016, DOE submitted a Class 2 permit modification request package to the New Mexico Environment Department (NMED). This permit modification request proposes the following:

- Provide the Permittee to use alternative measures for underground waste disposal operations when the required room ventilation rate cannot be met. These alternative measures would continue to ensure the safety of the personnel performing these operations.
- Provide the Permittee the ability to propose and alternative remedial action plan to the Secretary in lieu of closing the active room if the requirements of Permit Part 4, Section 4.9.3.3 cannot be met.
- Remove the minimum air velocity value in Attachment A2.
- Simplify the Resource Conservation and Recovery Act (RCRA) contingency plan implementation criteria.
- Address the new RWPP fire department.
- Remove the minimum running annual average mine ventilation exhaust rate.
- Remove and update Resource Conservation and Recovery Act Contingency Plan.
- Remove emergency response personnel job titles/descriptions and training.
- Editorial changes.

HOW: To obtain additional information about this permit modification request, contact Mr. Bobby St. John, RWPP at 1-800-338-6477. The permit modification is also available on the RWPP web site at <http://www.rwpp.energy.gov> and at the RWPP Information Center, Sheen-Whitlock Building, 4021 National Parks Highway Carlsbad, NM 88221. A copy of the requested permit modification may also be obtained from NMED at the address listed below.

COMMENTS: Written comments for the record must be sent to the NMED contact person at the address below and received no later than 5 p.m. on August 8, 2016.

Mr. Ricardo Measias
New Mexico Environment Department
2905 Rodeo Park, Drive East, Building
Santa Fe, N.M. 87506
Phone: 505-476-6000
Fax: 505-476-8030
E: rmeasias@state.nm.gov

The Permittee's compliance history during the life of the Permit being modified is available from Mr. Measias at the New Mexico Environment Department.

QUESTIONS: Any questions or comments to the Permittees regarding this permit modification request may be sent to Mr. Bobby St. John, P.O. Box 2078, Carlsbad, NM 88221 no later than August 1, 2016.

RWPP Permit Community Relations Plan
www.rwpp.energy.gov 1-800-338-6477

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