

Biswell, David, NMENV

From: Maestas, Ricardo, NMENV
Sent: Tuesday, February 20, 2018 9:39 AM
To: Allen, Pam, NMENV
Cc: Biswell, David, NMENV
Subject: FW: CCNS Support for SRIC 2/2/18 Ltr to NMED re: 12/22/17 DOE WIPP Request for a Determination of Class

From: Joni Arends [mailto:jarends@nuclearactive.org]
Sent: Wednesday, February 07, 2018 11:22 AM
To: Kieling, John, NMENV <john.kieling@state.nm.us>; Maestas, Ricardo, NMENV <Ricardo.Maestas@state.nm.us>
Cc: sricdon@earthlink.net; Scott <scott@nukewatch.org>; Contactus <contactus@cardnm.org>
Subject: CCNS Support for SRIC 2/2/18 Ltr to NMED re: 12/22/17 DOE WIPP Request for a Determination of Class

Good morning Gentlemen,

Concerned Citizens for Nuclear Safety (CCNS) fully supports the February 2, 2018 letter from Southwest Research and Information Center (SRIC) to Mr. Kieling, Chief of the New Mexico Environment Department (NMED), Hazardous Waste Bureau, requesting that NMED issue a notice for the permit modification requests for a new shaft and underground drifts as Class 3.

On December 22, 2017, the Department of Energy (DOE) and Nuclear Waste Partners, LLC, (NWP) wrote to NMED asking for a determination of class for the proposed modification to the Waste Isolation Pilot Plant (WIPP) for a new shaft and connecting drifts.

For the reasons detailed in the SRIC letter, the proposed permit modification is clearly a Class 3 permit modification. 20.4.1.900 NMAC (incorporating Title 40 CFR §270.42(d)), specifically at (1)(C)(iii) "Class 3 modifications substantially alter the facility or its operations."

The proposed modification will expand the footprint of the WIPP underground beyond the existing operating and designed panels, for a total of ten panels. As SRIC wrote, the proposed "new shaft and connecting drifts have never been part of the WIPP design or Permit. Thus they are a totally new design of the facility and [will] very substantially alter the facility and its operations, which is a Class 3 modification." at 3.

Further, the proposed modifications are controversial. The public has opposed WIPP expansion for years and decades - recall the lime green public comment postcards with the exploding drum graphic. There is significant public concern and interest in the WIPP facility.

CCNS and our members across New Mexico strongly oppose the proposed permit modification request and will request a public hearing, pursuant to Class 3 requirements.

CCNS respectfully requests that NMED determine the proposed permit modification is a Class 3 modification.

Thank you for your careful consideration of CCNS's comments.

Sincerely,

Joni Arends, Co-founder and Executive Director

Concerned Citizens for Nuclear Safety