

March 17, 2018

By email to: ricardo.maestas@state.nm.us

Mr. Ricardo Maestas
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive E, Building 1
Santa Fe, New Mexico 87505

Re: Public Comments for Proposed WIPP Expansion - "Volume Reporting" Class 2 Permit Modification Request - Changing the way waste is measured
Must be changed to Class 3 Permit Modification Request

Dear Mr. Maestas:

A proposed Class 2 Permit Modification by the Department of Energy (DOE) and its contractor, Nuclear Waste Partnership, to change the way waste is measured at the Waste Isolation Pilot Plant (WIPP) would allow a 28% increase in the volume of waste housed at WIPP.

The proposed modification would expand the amount of waste allowed by more than 930,000 cubic feet and would retroactively reduce the measure of emplaced waste from 3,238,673 cubic feet to 2,307,708 cubic feet. This is a significant volumetric change that requires a higher level of scrutiny by the public and the New Mexico Environment Department. NMED should therefore deny the Class 2 Permit Modification request and require the permittees to resubmit their request as a Class 3 Permit Modification. Alternatively, NMED should determine that DOE's request will follow Class 3 permit modification request procedures.

Over the past 19 years of WIPP operations, DOE has measured and reported waste volumes at the WIPP site based on the volume of the containers. DOE contractors have been paid and have received bonuses based on the volume of the containers. During this same period, space for over 1,000,000 cubic feet of waste has been lost or forfeited at the WIPP site.

Changing the way waste is measured at the WIPP site would reward bad management practices by DOE and its contractor, while increasing the risk of accidents during transport and emplacement of a significantly larger volume of waste and enlarging the danger to public health, worker safety and the environment of New Mexico.

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Please exercise your regulatory authority to protect the people and environment of New Mexico by requiring that Class 3 Permit Modification Request procedures be followed to evaluate this proposed change, with an opportunity for a public hearing and the opportunity to cross-examine sworn witnesses.

Thank you for your careful consideration of my comments.

Sincerely,

Laura Watchempino
P.O. Box 407
Pueblo of Acoma, NM 87034