



**From:** Deborah Reade  
**To:** Joni Arends; Maestas, Ricardo, NMENV; scott@nukewatch.org; contactus@cardnm.org; sricdon@earthlink.net; citizen@comcast.net; dave@radfreenm.org; marquezarts@yahoo.com; nmlady2000@icloud.com; lypeacecenter@startmail.com; Meiklejohn, Doug; rconn@amigosbravos.org; indivisiblehill@gmail.com; ben@cvmn.org; sgordon@swuraniumimpacts.org; tcordova@queston.net; tkachele17@gmail.com; murlock@raintreecounty.com; abqpeaceandjusticecenter@gmail.com; jbuchser@comcast.net; steve\_zappe@mac.com; Basabilvazo, George - FedNet; Mike Brown (mike.brown@cbfo.doe.gov); Stone, Anthony - FedNet; Chavez, Rick - RES (Rick.Chavez@wipp.ws); Kehrman, Bob; Urquidez, Ashley - RES; Day, Karen - RES; Ashley.Waldram@wipp.ws; turnboughmark@sbcglobal.net; Cook, Dennis - NWP (dennis.cook@wipp.ws)  
**Cc:** Hower, Jennifer, NMENV; Kieling, John, NMENV; McLean, Megan, NMENV; Biswell, David, NMENV; Tellez, Hernesto, NMENV  
**Subject:** Re: Meeting to Resolve Issues Concerning Draft Permit for WIPP Class 3 Permit Modification  
**Date:** Friday, September 21, 2018 4:15:08 PM

---

Dear Mr. Maestas:

Since I am involved in another matter that has meetings at the same time, I will not be able to attend. Having only three days lead time before these meetings are scheduled makes it very likely that many other people will also be unable to participate and seems inappropriate

If I were able to attend, I would probably find it impossible to understand what people are saying in a building with acoustics the way they have been described. Even if the meeting were in a smaller room you must provide microphones. Otherwise, people who have hearing disabilities like me will find it impossible to participate. I experienced this in a meeting with another agency that was in quite a small room, yet I could not understand a single word anyone said because there were no microphones. In a large empty space you might even need to provide assisted listening devices, though in a small space, microphones might be sufficient.

You describe in your Public Notice and your Fact Sheet how you are happy to provide assistance for people with disabilities and ask them to let you know 10 days ahead of time so you can make arrangements. However, no accommodation at all is being made for this meeting. And obviously, having it within four days of filing comments makes it impossible to request assistance 10 days ahead. Clearly, this schedule violates your *Non-Employee Disability Accessibility and Outreach Policy* that is supposed to implement the Resolution Agreement you signed with EPA in January of this year.

I urge you to reschedule these meetings with several weeks lead time, possibly offering several dates so the largest number of people can attend as possible. This will also allow you to accommodate people with disabilities. Perhaps doing this by teleconference could solve both problems. It's possible that attending by phone would be the best option for me, however it would be necessary to make sure that all these many people could be heard including both the people at the meeting and the people on the phone. This is not just a matter of plunking down a speaker phone and hoping for the best, as it can be complicated to make sure that everyone can hear, be heard and understand.

And also please do avoid scheduling during other Department procedures like the upcoming hearing on DP-1817 which will start on October 2, 2018.

Thank you,  
Deborah Reade

-----



Deborah Reade  
117 Duran Street  
Santa Fe NM 87501-1817  
Phone/fax 505-986-9284  
Reade@nets.com

On 9/20/18 8:00 PM, Maestas, Ricardo, NMENV wrote:

Hello everyone,

The New Mexico Environment Department (NMED) Hazardous Waste Bureau will be moderating negotiations concerning the draft Permit for the permit modification, *Clarification of TRU Mixed Waste Disposal Volume Reporting* to Waste Isolation Pilot Plant Hazardous Waste Facility Permit. NMED has received requests for public hearing on this matter.

The Hazardous Waste Management Regulations at 20.4.1.901.A(4) NMAC states: "If the secretary issues a draft permit, and a timely written notice of opposition to the draft permit and a request for a public hearing is received, the department, acting in conjunction with the applicant, will respond to the request in an attempt to resolve the issues giving rise to the opposition. If such issues are resolved to the satisfaction of the opponent, the opponent may withdraw the request for a public hearing."

This email is an invitation to meet with the Hazardous Waste Bureau and the applicant to attempt to resolve some or all of the issues raised in the comments received by commenters who requested a public hearing.

You are receiving this e-mail since you or your organization submitted a timely written notice of opposition to the draft permit and a request for hearing on the subject draft Permit.

All of the *timely* public comments received for the draft Permit Class 3 *Clarification of TRU Mixed Waste Disposal Volume Reporting* are posted at the following link on the NMED website:  
<https://www.env.nm.gov/wp-content/uploads/2016/05/All-On-time-Public-Comments-Received-Class-3-VOR-09-20-2018.pdf>

The scope of the negotiations will be limited to the draft Permit dated August 6, 2018, the Class 2 Permit Modification Request dated January 31, 2018 and the associated Technical Incompleteness Determination response dated July 12, 2018, all part of the Class 3 modification process. Although there may be general comments discussed concerning the draft Permit, any topic outside the scope of these areas will not be discussed during discussions. The negotiations are a chance for each participant to discuss their submitted public comments with NMED and the Permittees in order to attempt to resolve the issues raised.

As in similar discussions held previously, any attorneys present are to be observers only and not directly involved in the discussions.

**Logistics**

**Date:** September 24, 2018 to September 26, 2018

**Time:** 1:00pm to 5:00pm (first day), 8:30am to 5:00pm (days 2 and 3)

**Location:** Santa Fe County Fair Building

**Address:** 3229 Rodeo Rd, Santa Fe, NM 87505-6303

The participants may include the following attendees below:

- **NMED:** Ricardo Maestas, Hernesto Tellez, David Biswell, Megan McLean, and John Kieling (Attorney- Jennifer Hower)
- **WIPP Permittees:** George Basabilvazo, Mike Brown, Anthony Stone Rick Chavez, Bob Kehrman, Mike Valentine, Ashley Urquidez, Karen Day, Ashley Waldram, and Mark Turnbough (Attorneys- Myles Hall, Dennis Cook, Mike Woodward)
- **Southwest Research and Information Center:** Don Hancock
- **Nuclear Watch New Mexico:** Scott Kovac
- **Concerned Citizens for Nuclear Safety:** Joni Arends
- **Citizens for Alternatives to Radioactive Dumping:** Janet Greenwald
- **Stop the War Machine:** Bob Anderson
- **Citizen Action New Mexico:** Dave McCoy
- **Alliance for Environmental Strategies:** Noel Marquez and Rose Gardner
- **Las Vegas Peace and Justice Center:** Pat Leahan
- **New Mexico Environmental Law Center:** Douglas Meiklejohn
- **Amigos Bravos:** Rachel Conn
- **Invisible Nob Hill:** Rayellen Smith
- **Conservation Voter New Mexico:** Ben Shelton
- **Multicultural Alliance for a Safe Environment:** Susan Gordon
- **Tularosa Basin Downwinders Consortium:** Tina Cordova
- **ABQ Religious Society of Friends (Quakers):** Tina Kachele
- **Concerned Citizens of Cerrillos:** Ross Lockridge
- **ABQ Center for Peace and Justice:** Susan Schuurman
- **Rio Grande Chapter of the Sierra Club:** John Buchser
- Deborah Reade
- Steve Zappe

Please inform me if legal counsel will be present on your behalf and of any special accommodations needed as soon as possible.

Please note that, per previous inquiries, the Administrative Record for this proceeding will not be amended to include individual documents cited in public comments or documents from prior permit proceedings. This does not mean that documents cited in public comments will not be considered when public comments are reviewed. If there are any documents you would like to introduce for the public hearing, you are welcome to do so, but you must follow the participation procedures in accordance with 20.1.4.300 NMAC.

NMED has amended the Administrative Record to provide an index of the public comments received during the Permittee's initial February 2 to April 3, 2018 public comment period.

If you are unable to participate in person, arrangements can be made to provide a conference number for your participation. Please let me know if this is the case as soon as possible.

Please feel free to email or call me if you have any questions.

Respectfully,

Ricardo Maestas  
NMED WIPP Staff Manager  
Hazardous Waste Bureau  
2905 Rodeo Park Dr., Bldg 1  
Santa Fe, New Mexico 87505  
[Ricardo.Maestas@state.nm.us](mailto:Ricardo.Maestas@state.nm.us)  
505-476-6050