

*George Anastas*  
*11021 BridgePointe Ct., NE*  
*Albuquerque NM 87111*  
*September 11, 2020*

Stephanie Stringer  
New Mexico Environment Department (NMED)  
1190 St. Francis Drive,  
Suite N4050  
Santa Fe, NM 87505

Via email: [stephanie.stringer@state.nm.us](mailto:stephanie.stringer@state.nm.us)

RE: WIPP Temporary Authorization Reissuance Request, dated  
September 9, 2020

Dear Ms. Stringer:

In my 50+ years working in the radiation safety, nuclear and environmental regulatory arena I have never encountered a situation as blatantly offending as the NMED situations regarding WIPP during the past 10 or so years. Attached is my July 22, 2020 letter to Ricardo Maestas identifying only a few of the NMED related offenses against the rule of law, reasonableness and the public interest.

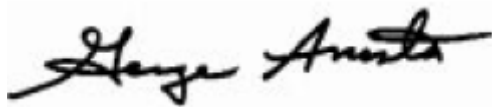
One can reasonably ask, “What has happened to the mission of NMED?” It is obvious when critically evaluating NMED actions that the NMED mission has been contorted to rubber stamp whatever DOE and the WIPP Operator desires is the minimum what NMED will agree to. The perception (and the reality) of NMED actions is ‘the heck with what is fair, reasonable, in the public interest, in compliance with the rule of law and NMED’s own regulations and procedures.’

I am in total and unambiguous opposition to the “Request for a Reissuance of the Temporary Authorization (TA) for the Class 3 Permit Modification Request to the Waste Isolation Pilot Plant,” dated September 9, 2020. NMED, in all fairness to itself and the people of

New Mexico must deny the TA reissuance request and stop the construction of the new shaft.

I look forward to NMED adhering to the rule of law, NMED procedures, the public interest and cease being a rubber stamp for DOE and the WIPP Operator. Toss the rubber stamp in the rubbish bin and be sure that it is not recycled.

Sincerely,

A handwritten signature in black ink, appearing to read "George Anastas". The signature is written in a cursive style with a horizontal line extending from the end.

George Anastas, PE, CHP, MPH, FHPS, FARPS

Attachment: July 22, 2020 Letter Anastas to Maestas, WIPP Project Manager

Cc with Attachment:  
Kevin Pierard, NMED  
Ricardo Maestas, NMED

*George Anastas*  
*11021 BridgePointe Ct., NE*  
*Albuquerque NM 87111*  
*July 22, 2020*

Ricardo Maestas, WIPP Project Manager  
NMED Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe New Mexico

VIA e-mail at [ricardo.maestas@state.nm.us](mailto:ricardo.maestas@state.nm.us)

#### Subjects

- 1: Withdrawal of Temporary Authorization for Construction of a utility shaft at the Waste Isolation Pilot Plant
- 2: Request for a Public Hearing for the Construction of a utility shaft at the Waste Isolation Pilot Plant as soon as possible

The New Mexico Environment Department (NMED) is actively committed to assist the Department of Energy (DOE) in vigorously expanding the Waste Isolation Pilot Plant (WIPP), by completely ignoring the promises made to New Mexico, completely ignoring the good faith agreements entered into by New Mexico with the DOE, and ignoring the history of WIPP.

One only has to look back over the past several years and examine the NMED “rubber stamp” of DOE requests.

- ▶ NMED approved the change to calculate the volume of waste disposed in order to dump additional waste into WIPP,
- ▶ DOE promised that WIPP will only receive laboratory waste contaminated with transuranic isotopes and DOE has disposed of pieces of spent nuclear fuel and UREX fuel reprocessing waste originating from Argonne National Laboratory and pieces of spent nuclear fuel originating from Sandia National Laboratory in WIPP,
- ▶ DOE stated that WIPP is to operate for 25 years, and NMED has always included that date in the Permit, but now DOE wants WIPP to operate essentially in perpetuity (beyond 2050) – NMED should not change the 2024 end of Disposal Operations in the Permit,
- ▶ DOE plans to create in southeastern New Mexico the world’s only weapons grade plutonium ore body, and

► Now the DOE is constructing a new waste shaft to expand WIPP without the required public hearing and ignoring the vocal opposition to this WIPP expansion.

These are but a few examples of mission creep by DOE that NMED has either facilitated or blindly acquiesced to.

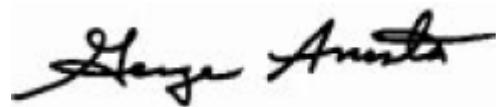
NMED must cease being an organization that gives automatic approval or authorization to the decisions of the DOE, without proper consideration by the people of New Mexico and the rule of reason and the rule of law.

Before any “required” public hearing, DOE can construct the new shaft. Then it would be impossible for NMED to deny any permit.

NMED you are to represent New Mexico, not the DOE. So NMED do your job and stop being a rubber stamp for the Department of Energy.

Withdraw the Temporary Authorization to Construct, follow the law, follow your procedures and cease being a rubber stamp for the Department of Energy.

I oppose the draft permit to allow construction of the new shaft #5 and associated drifts. I request a public hearing on the draft permit, after negotiations among parties requesting a hearing and DOE, NWP, and NMED.

A handwritten signature in black ink that reads "George Anastas". The signature is written in a cursive, flowing style.

George Anastas, PE, CHP, MPH, FHPS, FARPS