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OFFICE OF THE GOVERNOR

STATE CAPITOL

SANTA FE, NEW MEXICO 87503

GARY E. JOHNSON
GOVERNOR

December 16, 1996

(505) 827-3000

Tara O'Toole, M.D., M.P.H.
Assistant Secretary
Environment, Safety and Health
U.S. Department of Energy
Washington, D.C. 20585

Dear Assistant Secretary O'Toole:

Thank you for your letter of November 19, 1996, by which you forwarded us a copy of the draft Waste Isolation Pilot Plant (WIPP) Disposal Phase Supplemental Environmental Impact Statement (DOE/EIS-0026-S2). As governor of the host state for the proposed WIPP repository, I greatly appreciate you providing me direct and timely notice of this important document.

It is my understanding that the corresponding notice in the Federal Register of November 29, 1996, provides only sixty (60) days for review and comment on the WIPP SEIS-II. [Reference: 61 F.R. 60690] Under normal circumstances, such a review period would probably be sufficient for an environmental impact statement. However, there are a number of special considerations surrounding this document which compel me to request an extension of the comment period.

First, the proposed time frame for document review and preparation of comments coincides with perhaps the most hectic time of the year for virtually all U.S. citizens: the winter holiday season. Hanukkah, Christmas, and New Year's all fall within this period. Absent an extension of the comment period, most citizens will not be afforded an opportunity for meaningful participation in the NEPA (National Environmental Policy Act) process for WIPP. This is particularly true in light of the fact the draft WIPP SEIS-II totals over 800 pages, excluding the summary!

Second, the public's review of WIPP SEIS-II also is coincident with that for the DOE's WIPP Compliance Certification Application (CCA). Because the CCA consists of over 24,000 pages of documentation, additional time for review and comment on the WIPP SEIS-II is warranted.

Finally, the DOE provided a 90-day comment period for its 1990 WIPP Supplemental Environmental Impact Statement. [Reference: 55 F.R. 25690] We believe that this second Supplemental EIS deserves at least the same amount of review/comment time as the first SEIS due to its comparative enhanced significance.

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Tara O'Toole
DOE Assistant Secretary
December 6, 1996

For the preceding reasons, I am respectfully requesting that you extend the comment period for the WIPP SEIS-II by a minimum of 30 days--and preferably for 60 days. As you may know, I have been (and continue to be) a strong proponent of expediting the commencement of disposal operations at WIPP. In this case, however, the public interest is best served by DOE providing additional time for meaningful citizen participation in the WIPP Project.

Sincerely,

A handwritten signature in cursive script that reads "Gary E. Johnson". The signature is written in black ink and is centered on the page.

Gary E. Johnson
Governor of New Mexico

c: New Mexico Congressional Delegation
George Dials, DOE-CAO

GEJ:JAS:cjw