

## Pressure won't sway N.M. official on Flats waste

Environmental director says politicians can't speed issuance of permit to bury toxic remnants

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A New Mexico official says political pressure won't force him to speed approval of a permit to bury Rocky Flats nuclear waste under the desert near Carlsbad.

Ed Kelley, director of water and waste management in the New Mexico Environment Department, said Thursday he was unmoved even by a phone call from a New Mexico congressman who thinks Kelley is moving too slow.

"They think the only way to get things done is through political pressures, and in this state it doesn't work that way," Kelley said of federal and New Mexico officials who have contacted him.

The New Mexico official has refused to grant the permit until his agency reviews and verifies a voluminous amount of data related to the federal government's burial plan.

Rocky Flats officials say they must have a place to ship radioactive trash if they are to meet the 2006 cleanup deadline set by Energy Secretary Federico Peña. So far the waste fills 6,000 drums, many of them standing in hallways at the defunct nuclear-weapons plant northwest of Denver.

Plant Manager Jessie Roberson hopes to begin shipments by May to a site 20 miles east of Carlsbad, where the waste will be entombed in a salt bed a half-mile below the desert.

Under federal law, New Mexico has jurisdiction over waste contaminated with both plutonium and other hazardous materials. About half the Rocky Flats waste falls into that category. The rest is contaminated only with plutonium and needs only approval from the federal Environmental Protection Agency for burial to begin.

Kelley said Thursday that the Energy Department, which owns Rocky Flats and the burial site, should have talked to him before deciding the waste could come to New Mexico in 1998.

"What happened, it appears to me, is that DOE set a date without talking to us, and now they're trying to make us meet that date," Kelley said.

Kelley said he has a target date to complete the process, but he hasn't revealed it even to his boss, Environmental Department Secretary Mark Weidler, or Gov. Gary Johnson.

"If I put out a date, it might look like there's political pressure making me put that date out," Kelley said. And the appearance of political pressure will make the permit vulnerable to legal challenge by environmental groups, who have already vowed a court fight to halt the burial.