

12 Lucero Road
Santa Fe, New Mexico 87508
April 19, 2023

Ricardo Maestas, WIPP Group Staff Manager
Hazardous Waste Bureau - New Mexico Environment Department Sent via E-mail
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

Re: WIPP Renewal Draft Permit and Request for a Public Hearing

Dear Mr. Maestas;

I'm domiciled in New Mexico and reside with my wife and 12-year-old granddaughter in Eldorado. This community abuts New Mexico Highway 285, a route along which nuclear weapons waste is transported from the Los Alamos National Laboratory (LANL) to the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico.

I'm not a spokesperson for any of the organizations opposed to the permit proposal by the U.S. Department of Energy (DOE) to expand WIPP and allow for the storage of more dangerous nuclear waste than is presently being stored there. I do, however, agree with these organizations' rationales and strongly urge the New Mexico Environment Department (NMED) and Governor Michelle Lujan Grisham to reject DOE's proposals.

The First Step Before Making A Decision:

Before NMED and the Governor take any action on the DOE proposals, they must require DOE to prepare another environmental impact statement (EIS) that fully assesses the wide array of environmental impacts – both on the physical environment and human environment – of the proposals. Since the first EIS was prepared over a quarter century ago, much has changed and the Supplemental Analyses (SA) prepared by DOE do not adequately address these changes.

Furthermore, DOE should not be able to state that its proposals do not have a significant impact on the physical and human environment and consequently a full-blown EIS is not required. What DOE is proposing is much more than the operations that were agreed to when New Mexico originally granted a permit to WIPP.

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In looking at the concerns raised in NMED's September 22, 2020 comments on the draft EIS for the Holtec International License Application for a Consolidated Interim Storage Facility in Lea County, New Mexico, it would seem that there is a great need for DOE to make another and more detailed evaluation of the environmental impacts its WIPP proposals would have, both in New Mexico and elsewhere in the nation.

The DOE Proposals Are Yet Another DOE "Bait and Switch"

DOE agreed that WIPP would be closed in 2024, yet it now seeks to extend the closure date far into the future. What is even more disturbing is that DOE also wants to increase the storage capacity of WIPP; change the way by which nuclear waste is measured so more panels have to be excavated; allow nuclear weapons waste from facilities other than LANL to be dumped at WIPP; have WIPP become the depository for even more deadly forms of nuclear weapons waste; and put more trucks carrying this dangerous waste on the highways of New Mexico and on states between here and South Carolina. In doing so, the likelihood of a transportation accident resulting in the release of this waste is greatly increased. Should such an accident occur, it will be a death sentence: not only for those who breathe in the plutonium particles, but for the land and water upon which these particles fall.

When New Mexico agreed to WIPP, it was with the understanding that the facility would be a pilot underground storage area and the federal government would site other similar facilities outside New Mexico. That has not happened: WIPP remains the only facility of this type and should NMED accede to DOE's proposals, another WIPP-type facility is unlikely to be built outside of New Mexico.

DOE already has broken its agreement to store only certain transuranic wastes at WIPP and now proposes to store wastes beyond 2024. Having been "burned" at least once by DOE, why should New Mexico think that DOE will abide by an agreement it makes now? As circumstances change with the production of plutonium pits at LANL and the Savannah River National Laboratory, DOE will be coming back again and again for new operations and conditions at WIPP. I would hope NMED would heed and learn from the saying "Fool me once, shame on you, fool me twice, shame on me."

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New Mexico Has Sacrificed Enough

It is ironic that the closing of the comment period on this DOE proposal falls almost on the 80th anniversary of when the federal government and the University of California signed an agreement to build what is now LANL. For fourscore now, New Mexico – through its involvement in the creation and production of nuclear weapons – has likely made more ongoing sacrifices than any other state in the defense of our nation. Yet after eight decades, New Mexicans are still threatened by the potential release of nuclear weapons waste into our waters, into our air and on our land because of activities taking place at LANL.

Should NMED and Governor Lujan Grisham agree to the DOE's proposals for WIPP, I fear for both the department's and her legacy. While I understand that there are economic considerations that enter into a decision, concerns for the future of the environment and the public's health and safety should be the paramount factors. If New Mexico gives into DOE's proposals, it is virtually guaranteed that New Mexico will remain as the nation's only nuclear weapons waste storage facility. And if it does, the motto on our license plates should be changed from "The Land of Enchantment" to "America's Nuclear Waste Dump."

In the interest of making this permitting process transparent, I am requesting NMED hold at least one public hearing on DOE's proposals. My comments above have addressed three of the four criteria necessary to request a public hearing. Should I decide to comment at the public hearing, I would be raising the issue of the need for DOE to prepare an updated EIS.

In advance, thank you for your consideration of my comments.

Sincerely,

Richard J. Goldsmith