

**First Name:** Cynthia

**Last Name:** Weehler

**Address:** 20 Descanso Rd.

**City:** Santa Fe

**State:** New Mexico

**ZIP:** 87508

**Email:** cnthweehler@gmail.com

### **Waste Isolation Pilot Plant Permit Renewal Public Comment**

Comments on the WIPP Hazardous Waste Permit Renewal to NMED

My comments support the safety provisions in the new permit renewal, but ask that more provisions be added.

It is concerning that those of us who oppose the WIPP mission expansion are viewed by the business people and elected officials in southeastern New Mexico where WIPP is sited as having no standing. We are described as a small but vocal group of anti-nuclear activists who live about 300 miles from the facility. These leaders are attempting to divide New Mexicans into competing groups. Two things must be stated:

- Many of us who are labeled “anti-nuclear” believe that WIPP’s original and current mission should be completed. The legacy waste sitting unsafely on the hill near Los Alamos is a danger to hundreds of thousands if it aerosolizes in a forest fire. The best place for it to be is in WIPP.

If WIPP expands, this mission is in jeopardy. NNSA and DOE plan to leap-frog over the shipments in the current mission with shipments of surplus plutonium at Pantex and a new waste stream from new plutonium pit production. We advocate for the mission WIPP was meant to complete. Legacy waste must have first priority for emplacement in WIPP and no further waste should be added.

- The implication that those who live near WIPP should be the only public that has standing to make comments is divisive, unproductive, and untrue. The waste going to WIPP actually bypasses Carlsbad, so transport is less of a threat to closer residents. Nearby residents also receive the only benefits of hosting WIPP, jobs and a more robust economy. Those who live further away, but on the route, receive all the risk and no benefits from WIPP. We are the part of New Mexico that rightly fears expanded shipments and expanded time for WIPP transports.

Please include these views when weighing issues of fairness.

### Comments on Specific Issues

1) I want to remind the New Mexico Environment Department that the WIPP facility was sold to New Mexicans, who were understandably wary of federal overreach, that it would remain a pilot facility. WIPP was built as an experiment to see if nuclear waste could be safely stored in salt beds. The result of this experiment will not be known for 10,000 years. As an experiment that has an unknown outcome, it should remain limited and not expanded from its original goal.

This means that other states should host repositories to relieve New Mexico of the burden of disposing of/storing\* the nation's entire arsenal of nuclear weapons' waste. Every state benefits from the nation's military operations; every state with an appropriate geology for this storage should sustain some of that burden. The result of sharing this responsibility is 1) fairness, and 2) a means to make the nation rethink how many nuclear weapons over those needed will be produced. If only New Mexico has to dispose/store the waste from nuclear weapon production, other states can conveniently ignore the consequences of overbuilding these weapons. A natural consequence of sharing that burden is a national awareness of the dangers of over-proliferation.

2) New Mexicans were also assured that WIPP would have an end date that matched its mission. The last permit set that end date in 2024. Because of reckless mismanagement of the WIPP facility and the unsafe process at LANL of packaging the material going to WIPP, this mission will not be finished on that date. The people of New Mexico feel that they are now suffering increased risks from the operation of this facility due to the fault of the federal government. We did not choose to handle drums of waste whose chemical contents are unknown. We should not be over exposed to the risk of transport for the federal government's inadequate choices. The original mission, disposal/storage of legacy waste from the Cold War production of nuclear weapons, should be completed. It is needed because the storage of radioactive plutonium and hazardous chemicals should not be under canvas tents in a forest that habitually experiences wildfires. Aerosolizing this material would not only destroy much of New Mexico's land, it would extend far beyond. Our elected officials risk leaving a legacy of disaster, with their name on it. Waste from surplus plutonium was never meant for disposal at WIPP, nor is waste from new waste streams like new plutonium pit production. Again, it is not the public's fault that the country has made more waste than it knows how to handle. Other solutions must be found.

3) As an individual of many in my situation, I want to explain how this impacts us. I bought my house on the designated route for radioactive waste. Because there is no requirement that realtors inform home buyers that they are on the route, most bought homes without that knowledge. I, however, knew my house was on the route. But I also knew that WIPP was supposed to stop taking waste in 2024. I made the personal decision to take the risk that an accident wouldn't happen in the 5 years between buying my house and 2024. An accident

might happen, but it was my choice to take that risk. If the permit expands WIPP's mission, it takes away my ability to choose the amount of risk I'm willing to take. Now, the federal government gets to choose how much risk my property and family are exposed to. It is trying to change the parameters after the fact. No one in the public could have foreseen this because we were assuming that the federal government could be taken at its word.

Most of us would be willing to see the mission finished as promised. I know of no one on the route willing to see the mission expanded throughout the century.

4) WIPP was sold to New Mexicans with a limited amount of waste allowed. This promise has already been broken with the new volume of record change. Now the permit application includes an amount over the 6.2 million ft.<sup>3</sup> allowed, even given the VOR change. This is another reason not to trust the federal government to put any expansion in place.

5) WIPP was also sold to New Mexico as only taking plutonium contaminated items like protective clothing, sludges, and tools. It is now manipulating the type of waste to include powdered plutonium oxide, the most dangerous form of plutonium-239 if released. Senator Domenici, an ardent supporter of WIPP, even stated that plutonium should never be diluted simply to qualify for acceptance at WIPP. By using the ARIES program to dilute the plutonium, the federal government is doing exactly that.

In addition, the NNSA now plans to include waste from a huge project to produce new pits. All this expansion will put those on the waste route at an incredibly increased risk of loss of property, health, and their home investments. It will also, even under the new VOR measurement, overflow WIPP. We are fully aware, as NMED should be, that when a project is so vast, complex, and long-lasting, an accident is inevitable. Where it will happen and when it will happen are unknown, but it will be catastrophic to the community it occurs in. We are being deliberately exposed to a risk we didn't know was possible and could have avoided if we had known.

Finally, the original and current mission of WIPP has always been risky. The explosion of a drum of radioactive waste due to a chemical reaction in WIPP on February 14, 2014, illustrates that. But the current mission seemed manageable because it had limits. This expanded mission has done away with most of those limits.

We thought we were protected by the legal and social limits negotiated with the DOE in the original permit. The safety of New Mexico is now in your hands. Will you hold the NNSA to the limits that previous leaders so wisely gave you to prevent this overreach? Or will you pretend that you have no tools to protect New Mexico?

\*When referring to WIPP's mission, I use the terms "storing/disposing of" nuclear waste. The official term is supposed to be "disposal" because the waste at WIPP is not retrievable.

However, WIPP is supposed to “dispose of” its waste for 10,000 years. Plutonium-239 has a half-life of 24,000 years. In 20 half-lives none of it will remain. That is 480,000 years, not 10,000. The waste does not become non-radioactive when it ceases to be plutonium-239, however. It follows a decay chain that first changes it into uranium-235. U-235 has a half-life of 700 million years. Twenty of those half-lives are 3 times longer than the planet has existed. This isotope of U-235 is not the common isotope of uranium (U-238) that makes up 99% of the naturally occurring uranium on earth. We are making a huge stockpile of an isotope of uranium that is not found naturally. For these reasons I think it is inaccurate to use the word “disposal.” Instead, I would argue that, at most, we are storing waste at WIPP.