

Erich Kuerschner

Thank you for the opportunity to comment on this permit process. I laud NMED for its effort to use its position and skills to achieve an appropriate environment in New Mexico, one where health is not impaired by managing at less than "best practices." It takes courage to stand up to bullies that can do one serious harm.

Soo.... KUDOS for your efforts to explore the options New Mexico has in enforcing its RIGHTS in previous agreements, and work to have decisions based on scientific truths, as well as morality and ethics. I care deeply about what I see as a misguided belief that outcomes achieved by force are lasting or desirable. In my view, it was a mistake to build the first bombs, and that mistake was compounded by their use on a country looking for a reasonable way to surrender and end the war. Seven of the eight five star US officers (during or shortly after the war) publicly stated they viewed the bombs as having no material impact on the war, Japan already acknowledging its defeat and looking for a way to surrender.

I digressed in hope of putting the waste management problem, and thus the permitting problem in perspective, to start with "the elephant in the room", the issue of whether nuclear weapons are now obsolete, and whether more and better weapons make WORSE off, rather than better. Now I give notice that I will return to this outlier theme, one I argue will mislead as to "best practices if we continue to ignore this elephant. In a rational, well-formed government it would have ALREADY been resolved, before discussing the permitting process. So first your excellent proposals.

My understanding is that the conditions you recommend for granting the permit extension are:

Prioritizing the disposal of legacy DOE wastes at WIPP that are generated from New Mexico clean-up activities:

1. Tying WIPP's closure to the end of the permit term (i.e., 10 years after the new permit is issued) unless the DOE can provide an accurate inventory of all remaining wastes awaiting clean-up and emplacement in WIPP.
2. Revoking the DOE's state operating permit should Congress change the federal Land Withdrawal Act to allow for increased waste emplacement at WIPP.
3. Suspending any and all waste shipments to WIPP if there are allegations or evidence of a threat to human health or the environment.
4. Requiring the DOE to submit a new annual report detailing steps toward siting another geologic repository in a state other than New Mexico.
5. Conducting surveillance of both oil and gas production wells and saltwater disposal wells operating around the perimeter of the facility.
6. Enhancing the public participation process as a permit condition.

I HEARTILY support ALL SIX proposals, and likewise strongly support ENFORCING these conditions, and hope you consider spelling out the enforcement process for holding DOE in compliance with agreements involving them. The last two should assist in overcoming the secrecy with which the bomb was financed. This created an environment in which it was difficult "to know

the truth" of US support for war, as opposed to the recognition by both General Groves and Robert Oppenheimer that on the hill, truth had to be the currency.

That brings me to the issue of how one is to bring the issue of analyzing reducing the waste stream itself into the process of managing the permitting process. The MOST important sub-issues here are:

1. What is the product being produced?
2. What is the value of the product produced?
3. What are some possible alternatives to producing this product?
4. What is a process studied that was outside of the control of either DOE or NNSA?
5. (As required in the original NEPA process).

Were arms agreements or treaty negotiations studied as alternatives to pit production?

6. What might some possible impacts on an individual or a communities well-being be?

By essentially hiding under the phrase "State or National Security Secrets" for the first five issues, one withholds from stakeholder review ANY participation or support for a project. At a recent town hall meeting, initiated by Santa Fe County Commissioner Anna Hansen, NNSA administrator Hruby and DOE advisor White offered bureaucratic perspective to concerned citizens. So many of those concerns were ones I addressed in the 2008 SPEIS at the extra site then Senator Bingaman was able to establish. My comments were oral but included in a publicly accessible archive. I am grateful I have that to refer friends to, in explain the history of the reluctance of the NNSA to involve the public in policy, with the sub-optima, "less than best practice outcome", and offer to grandchildren evidence that I did try to support efforts to look at the bomb from THEIR, rather than from an elitist POV.

The sixth issue, that of misleading the public on the "economic impact" of LANL, and "pit production in general", one could make a case for FRAUD. People like John Waters of the Carlsbad Department of Development seem under the impression that WIPP is an economic engine and benefits and therefore expansion must be good. Similar confusion gave rise to a now defunct weapons support group, the Regional Coalition of LANL (RCLC), and understanding the truth of that relationship led to its demise. Confusing inputs (jobs) with outputs (product or service), one is led to believe how hard one works is ALWAYS a proxy measurement for BENEFITS, not realizing that there are alternatives to how labor may be utilized. If one is careless, hiring a contractor who digs nothing but dry holes, does the community benefit from this policy as evidenced by the wages paid? Or do those payments measure the loss of what this now unproductive labor could have produced, a LOSS that is PERMAMENT. While a private contractor would likely fold on this own, a MICIMATT environment where benefits are internalized to the few, and costs externalized to the many, can endure for a VERY long time.

If one looks at the evidence, one does see the obvious, that in the communities where cash is injected, like Los Alamos and Carlsbad. Those wealth gains are real. But so are the LOSSES, that not as apparent as that occur in other communities, whose dollars now compete against increased dollars, while at the same time there are LESS consumer products available. As the 19th-century economist Frederic Bastiat famously pointed out: "There is only one difference between a bad economist and a good one: the bad economist confines himself to the visible effect; the good economist considers both the effect that can be seen and those effects that must be foreseen."

<https://www.johnlocke.org/research/economic-impact-studies-the-missing-ingredient-is-economics/>

In closing I look forward to your mailing list, and collaborating with others, on those issue of "need" and economic well-being, that have been TABOO for much too long. And of Course, THANK YOU for recognizing how important honest negotiations are, and what has been the evidence regarding the TRUSTWORTHINESS of the Federal Government in honoring contracts.

All the Best, Thank You.

"The way of peace is the way of truth. Truthfulness is even more important than peacefulness. Indeed, lying is the mother of violence." ---- Gandhi

"The fact is, I see no compelling reason why we should not unilaterally get rid of nuclear weapons. To maintain them is costly and adds nothing to our security." ---Paul Nitze, A Threat Mostly to Ourselves - New York Times <http://nyti.ms/TAG6pU>

"There is nothing comparable in our history to the deceit and the lying that took place as a matter of official Government policy in order to protect this [nuclear weapons] industry," said Mr.[Stewart] Udall. "Nothing was going to stop them and they were willing to kill our own people. ... "The atomic weapons race and the secrecy surrounding it crushed American democracy," Mr. Udall said in a interview. "It induced us to conduct Government according to lies. It distorted justice. It undermined American morality. Until the cold war, our country stood for something." --- NY Times 8 June 1993

"Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed." -- President Dwight D. Eisenhower

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