



**STATE OF TENNESSEE**  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
NASHVILLE, TENNESSEE 37243-0435

**DAVID W. SALYERS, P.E.**  
COMMISSIONER

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GOVERNOR

Megan McLean, WIPP Program Manager  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303

June 22, 2026

Dear Ms. McLean:

The Tennessee Department of Environment and Conservation (TDEC) is providing the following comments regarding the draft permit modification for the Waste Isolation Pilot Plant (WIPP) issued by the New Mexico Environment Department (NMED) on April 23, 2026.

WIPP serves as a vital resource for the Department of Energy (DOE) Complex environmental cleanup, and TDEC supports efforts to efficiently and productively ensure legacy Transuranic (TRU) waste is processed and transported to WIPP for permanent disposal.

Over the past 18 years WIPP has enabled the Oak Ridge Reservation (ORR) NPL site to dispose of 94% of its contact-handled and 80% of its remote-handled TRU waste, but the ORR still has a significant inventory requiring permanent disposal. In addition, as one of the few sites with a processing facility capable of managing TRU waste, the ORR is increasingly being approached to process TRU waste from other DOE Complex cleanup sites. Therefore, the DOE Oak Ridge Environmental Management (OREM) office anticipates an increase in the volume of TRU waste being sent to the ORR for processing and eventual disposal at WIPP. TDEC is concerned the proposed inventory restrictions could hinder timely shipment of waste from the ORR, resulting in long-term storage of this waste at the ORR TRU Waste Processing Center (TWPC).

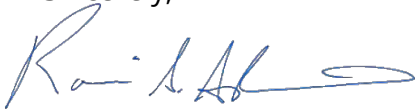
Based on an analysis performed by WIPP, DOE-OREM estimates this proposed permit modification would reduce its shipments to WIPP by more than 90% between 2027 and 2035, resulting in an exceedance of TWPC storage capacity by 2029. In addition, significant costs would be incurred to expand storage areas and modify permitting requirements. TDEC requests NMED not proceed with this permit modification as drafted.

However, should NMED move forward with efforts to implement the proposed permit modifications, TDEC offers the following comments:

1. Language should be included to specify "LANL waste" includes all waste originating from LANL. Waste originating from LANL has been stored in Texas at the Waste Control Specialists facility for over a decade. DOE-OREM has been approached about accepting this waste for treatment at the TWPC. The waste should count towards LANL's percentage share. If intermingling with non-LANL waste is required during processing, the entirety of the waste should be considered as "LANL waste."
2. The permit must explicitly state that if LANL is unable to ship a sufficient volume to meet its percentage share, the other legacy waste sites will not be hindered in shipping their waste due to the cap.

While TDEC understands New Mexico's interest in permanently securing disposal of legacy TRU waste within its state, we encourage working together to find a solution that does not burden other sites with long-term, costly storage of TRU waste.

Sincerely,



Ronné Adkins, Ph.D.  
Deputy Commissioner, Bureau of Environment

cc: Erik Olds, DOE-OREM  
Warren Gooch, Mayor, City of Oak Ridge  
Wade Creswell, County Executive, Roane County  
Terry Frank, Mayor, Anderson County  
ORSSAB