

Concerned Citizens for Nuclear Safety (Joni Arends)

CONCERNED CITIZENS FOR NUCLEAR SAFETY

**P.O. Box 31147
Santa Fe, NM 87594-1147
(505) 986-1973
nuclearactive.org**

June 22, 2026

Submitted through NMED Public Comment Portal at
<https://nmed.commentinput.com/?id=x2V7G3HrWN>

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

Re: Public Comment about Agency-Initiated Draft Hazardous Waste Facility
Permit for the Waste Isolation Pilot Plant and Request for a Public Hearing

Dear Ms. McLean:

Concerned Citizens for Nuclear Safety (CCNS), a Santa Fe, New Mexico non-governmental organization, submits these public comments about the New Mexico Environment Department (NMED) Agency-Initiated Draft Hazardous Waste Permit (HWFP) for the Waste Isolation Pilot Plant (WIPP).

CCNS is grateful for NMED's leadership, time and prioritization to protect public health and the environment in order to remove transuranic (plutonium-contaminated) legacy waste "off the hill" for disposal at WIPP.

CCNS is disappointed, and furious, that the Department of Energy (DOE), WIPP and their contractor, Salado Isolation Mining Contractors, LLC (SIMCO), were not forthcoming during the June 2023 negotiations that the proposed Panel 12 would not be ready for waste disposal until after 2033 – **after** the current permit expires. This fact alone tainted the negotiations and the settlement to the detriment of all parties who participated in good faith.

CCNS requests a public hearing to be held in accordance with §20.1.4.901.A.4 NMAC and 20.4.1.901.A.3 NMAC.

CCNS Request for a Public Hearing

In response to the above, CCNS requests a public hearing. We provide the following information in support of our request with the proviso that policy questions will be considered (Fact Sheet, p. 1):

1. CCNS actively participated in the 2023 permitting process, including a week of negotiations and pre- and post-negotiation preparations.
2. CCNS is represented by Joni Arends, Executive Director and CCNS Co-founder, P.O. Box 31147, Santa Fe, NM 87594-1147.
3. CCNS objects to the draft Permit:
 - a. Why do the communities surrounding LANL continue to bear the burden from the lack of progress to remove LANL legacy transuranic waste off the hill?
 - b. How long will this condition exist?
 - c. When will it end?
 - d. CCNS appreciates the thought provided in proposed permit §4.2.1.4.iii. We strongly urge stronger language to reveal the percentages of the volume of LWA legacy waste and non-legacy waste as documented in the monthly report.
 - e. Further, please add a permit provision that the monthly report must be posted on the WIPP webpage in a place that is easily accessible to the public – preferably on the home page.
 - f. CCNS is concerned about the ratios for the emplacement of LANL legacy waste to be at least 55%. For clarification, if no non-legacy waste is available for shipment in a month, would it be possible for LANL to emplace 100% of its legacy waste in WIPP?
 - g. Further, how would it work for “at least 55% of the total volume of waste emplaced from all generator/storage sites as calculated on a rolling month average based on the prior 12 consecutive month”? If no other generator/storage site is shipping and there was no non-legacy waste at LANL ready for emplacement in WIPP, could all the LANL shipments be legacy waste?

4. CCNS proposes to raise for consideration during the public hearing, the following issues:
 - a. We incorporate here the issues raised in No. 3 (a) through (g) above.
 - b. The impacts of DOE/NNSA/LANL/SIMCO delaying the removal of transuranic waste from the hill has resulted in the migration of contaminants, including Hexavalent Chromium, through the complex geology to the Española Basin Sole Source Drinking Water Aquifer and the Rio Grande.
 - c. Issues with the Waste Hoist at LANL as documented by the Defense Nuclear Facilities Safety Board (DNFSB) raise deep concerns for worker safety as recently as the beginning of 2026.

Please see:

- i. DNFSB February 6, 2026 WIPP Report for January 2026 which documents the waste hoist experiencing a lilly controller fault. <https://www.dnfsb.gov/content/wipp-monthly-january-2026>
- ii. DNFSB March 6, 2026 WIPP Report for February 2026 which documents the salt hoist being placed out-of-service.
 - a. The replacement of the waste hoist is also documented.
 - b. Waste shipments resumed to WIPP.<https://www.dnfsb.gov/content/wipp-monthly-february-2026>
- iii. DNFSB April 3, 2026 WIPP Report for March 2026 which documents the waste hoist motor replacement and filter replacement in the New Filter Building. <https://www.dnfsb.gov/content/wipp-monthly-march-2026>
- iv. DNFSB May 14, 2026 WIPP Cognizant Engineer Report for April 2026 which documents preliminary continuous air monitor (CAM) testing plans, installation of a new hoisting system in the new Utility Shaft, concerns about the Air Intake Shaft Hoist issue, which was placed out-of-service with plans to complete repair in July 2026, and problems with the salt hoist braking system due to a worn control relay. After an orderly evacuation, this last hoist was “the only remaining operational hoist.” <https://www.dnfsb.gov/content/wipp-monthly-april-2026>

v. What will be revealed in the May 2026 WIPP monthly report?

Thank you for your careful consideration of our comments. Please kindly contact me with any questions or comments.

Sincerely,

Joni Arends