

## William Irving

The NMED Agency Initiated Modification seeking changes to the WIPP Permit appears to be a political hit job to punish Southeast New Mexico by the outgoing administration. Nowhere in your 28 page HWB WIPP AIM Factsheet do you provide evidence or even an actual assertion that any LANL legacy waste has been denied placement in WIPP, or even not been prioritized for placement when available. I have found no evidence that any LANL legacy waste has been delayed or denied placement into WIPP other than the period when WIPP was shut down due to LANL legacy waste that was improperly packaged by LANL causing a radio active release, a massive clean up, and considerable Federal Tax dollars to clean it up. It appears that focus needs to be placed on the LANL clean up efforts that are too slow to keep up with clean up efforts in other areas of the country. Forcing everyone else to slow down and taking away jobs from New Mexicans who work at the WIPP site because LANL cannot seem to do their job as quickly or safely as everyone else is non-sensical and unacceptable. While I question the legitimacy of the NMED's primacy over the Federal Government in this matter, I would prefer that the NMED work for New Mexicans South of I-40 in addition to those in the Northern part of the state so this matter does not need to go to Federal court. WIPP has proven to be a safe and dependable disposal site for legacy nuclear waste since it was first opened. Even when Los Alamos National Lab mismanaged their packaging of the waste and caused an underground release at WIPP, the facility safeguards worked as designed. It is time for New Mexico State Agencies to stop playing political games and start doing their jobs for the people of New Mexico and the people of the United States of America. WIPP has not delayed or denied waste shipments from LANL. WIPP does not intend to delay or deny waste shipments from LANL. WIPP has plenty of space for all of the TRU waste generated by past, present, and future defense activities in the U.S.A, including LANL. Restricting WIPP's ability to accept shipments from generator sites across the country jeopardizes WIPP's operations and threatens jobs at the WIPP site and generator sites across the country. Prioritizing the emplacement of legacy waste from all generator sites over non-legacy waste and newly generated waste is unnecessary and has the potential to interfere with U.S. national security and WIPP's role in it. A one-size-fits-all definition of "legacy waste" will disrupt ongoing cleanup activities across the country and could create additional risk for the American people.