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May 4, 2026

Hon. Secretary James Kenney  
New Mexico Environment Department  
Harold Runnels Building  
1190 St. Francis Dr. Suite N4050  
Santa Fe, NM 87505

**RE: WIPP is Critical to Environmental Cleanup, and Restricting Shipments is Detrimental to the Local, State and National Cleanup Mission**

On behalf of the City of Carlsbad, I am writing to express our concern regarding the draft permit modification for the Waste Isolation Pilot Plant (WIPP) issued by the New Mexico Environment Department (NMED). We believe the proposed changes could slow and jeopardize cleanup progress in our community and at Environmental Management (EM) sites nationwide.<sup>1</sup>

The current WIPP permit, modified less than two years ago in 2024, addressed key issues while appropriately prioritizing legacy waste and ensuring WIPP could continue operating efficiently. At the time, NMED described the permit as the result of “successful negotiations,” and the permit established a Legacy TRU Waste Disposal Plan to define “legacy waste” and coordinate with generator and storage sites, as well as stakeholders, to accurately inventory and prioritize this material. In addition, Panel 12 was designated for legacy waste disposal to the extent practicable.

The current permit structure appears to be working effectively. WIPP remains essential not only to environmental cleanup efforts nationwide, but also to the economic vitality of the City of Carlsbad and southeastern New Mexico. As the nation’s only deep geologic repository for defense-related transuranic (TRU) waste, WIPP serves as the cornerstone of cleanup operations across the entire EM complex. Its continued operation and accessibility to sites across the country are critical to fulfilling both national environmental cleanup goals and longstanding commitments to frontline cleanup communities, including Los Alamos.

Since operations began, WIPP has supported the remediation of legacy TRU waste from 22 Department of Energy sites nationwide. It is important to continue — and, where possible, accelerate — shipments from Los Alamos National Laboratory and sites in Idaho, Washington, Nevada, California, Tennessee, South Carolina, Illinois, and other states. Any modifications that restrict WIPP’s ability to receive waste shipments

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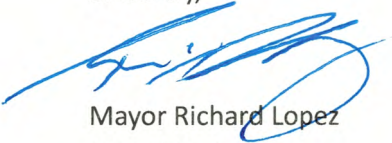
from across the EM complex could weaken operations at the facility, threaten jobs, and negatively impact cleanup progress nationwide.

The current 2024 permit already prioritizes legacy waste while balancing national environmental cleanup and security needs. We respectfully request that NMED continue working collaboratively with communities and local governments within the current WIPP permit framework, rather than implementing changes that may disrupt the progress already being made.

Additionally, we plan to request that the State assess the potential impacts of the proposed permit changes and provide clarity regarding how these changes could affect cleanup operations at Los Alamos National Laboratory and other sites throughout the country.

If you have any questions, please contact the City of Carlsbad Mayor's Office at 575-887-1191 or [mayor.office@cityofcarlsbadnm.com](mailto:mayor.office@cityofcarlsbadnm.com).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Lopez', is written over the typed name.

Mayor Richard Lopez  
City of Carlsbad

Cc:

Energy Communities Alliance Board of Directors

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<sup>1</sup> On April 23, NMED issued a Public Notice announcing a Draft Permit to modify the permit for the Waste Isolation Pilot Plant. <https://hwbdocs.env.nm.gov/Waste%20Isolation%20Pilot%20Plant/260419>.