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30 April 2026

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

TOWN JUSTICE

Kay Hebdon

HIGHWAY

SUPERINTENDENT

Keith Butcher

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

On behalf of The Town of Ashford AND colleagues in Carlsbad, New Mexico I am writing to express our concern that the draft permit modification for the Waste Isolation Pilot Plant (WIPP) issued by the New Mexico Environment Department (NMED) will slow down and endanger cleanup progress in the Town of Ashford and EM sites across the country.¹

The last permit by NMED modified less than two (2) years ago addressed the key issues and prioritized legacy waste while ensuring that WIPP could operate efficiently. The 2024 permit seems to be working well and was touted by NMED as “successful negotiations”² and “a Legacy TRU Waste Disposal Plan” was introduced into the permit to define the term “legacy waste” and to work with generator/storage sites and stakeholders to accurately inventory this waste once defined. In addition, Panel 12 will be reserved for legacy waste to the extent practicable.

WIPP is important to my state and the cleanup at my site as WIPP is the nation’s only deep geologic repository for defense-related TRU waste, making it the linchpin for all cleanup efforts across the entire EM complex. Its continued operation and accessibility to sites across the nation are critical. The facility’s mission is crucial, its success is a matter of record, and its continued operation – in alignment with the original submission – is essential to our nation’s ability to move forward with cleaning up every site across the complex and fulfilling the legal and moral obligations to the nation’s frontline cleanup communities, including Los Alamos. The WIPP facility has assisted in the remediation of 22 DOE sites of legacy TRU waste since operations began.

¹ 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>.

² See NMED presentation, <https://www.nmlegis.gov/handouts/RHMC%20091324%20Item%202%20WIPP%20Update%20NMED.pdf>

It is important to continue and accelerate shipping TRU waste from Los Alamos National Laboratory as well as Idaho, Washington, Nevada, California, Tennessee, South Carolina, Illinois and other sites. Modifications restricting WIPP's ability to accept shipments from across the EM complex could weaken WIPP's operations and threaten jobs at WIPP. Reducing shipments to WIPP could have a negative impact on the WIPP facility, potentially disrupting WIPP's operations, to the detriment of EM sites across the country and their neighboring communities.

The current permit is new (2024) and adequately addresses the prioritization of legacy waste across the country and helps to address national environmental cleanup and security concerns. We request that NMED continues to work with communities and local governments under the current permit for WIPP.

We plan to ask our State to look at the impact of the proposed changes to the WIPP permit to tell us of the impact on cleanup at our site and other sites around the Country.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'JAP', with a long horizontal line extending to the right.

John A. Pfeffer
Supervisor, Town of Ashford

716 801-1838

Cc: Energy Communities Alliance Board of Directors