

**Public Comment Re: NMED Agency Initiated Modification (AIM) Draft Permit
Which Seeks Changes to the WIPP Hazardous Waste Facility Permit**

Email: HWB-WIPP-Comment@env.nm.gov

June 8, 2026

Opposition

I strenuously oppose each of the NMED-proposed permit modifications. The changes are unrealistic, unnecessary, unjustified, and destructive to the efficiency essential for handling receipt of TRU waste at the Waste Isolation Pilot Plant. The modifications would be detrimental to the overall environmental cleanup mission and, in fact, would cause significant setbacks.

Consider the following facts:

1. The Waste Isolation Pilot Plant is not in charge of organizing or directing operations at any of the generator sites, including Los Alamos National Laboratory (LANL). WIPP's sole mission is to isolate defense waste permanently when said waste has been properly characterized and is deemed ready for disposal at WIPP.
2. WIPP already does prioritize LANL waste shipments by scheduling them as soon as they are available. As one WIPP official told me, "When Los Alamos calls to inform us that there is waste ready for shipment, we immediately send a truck to pick up that shipment." WIPP is not the holdup.
3. The mission of WIPP is national in scope. It was never intended to favor one generator site to the exclusion or delay of others.

It would be a mistake for the New Mexico Environment Department to impose a percentage requirement favoring LANL under any kind of timeline. Doing this would put the proverbial cart before the horse. Every waste shipment decision must be based on the science of waste readiness. If LANL waste is not ready to come to WIPP, it's simply not ready. Waste streams at LANL are known to be complex and challenging; this explains the lesser volume of waste being sent to WIPP from this generator site. As a New Mexican, I want to see LANL's legacy waste dealt with, but penalizing WIPP for LANL's slowness is not a solution.

The proposed percentage modification is analogous to air traffic controllers at the Sunport in Albuquerque denying landing rights to airplanes that are in the queue and ready to land. Waiting for an "Air LANL" plane to show up first before those planes are allowed to touch

down would serve only to interfere with operations, cause unnecessary delays, cause unnecessary expense, and seriously impede progress.

I would hope the New Mexico Environment Department would want to avoid mandating measures that run counter to the reason Congress authorized the establishment of WIPP.

Another concern I wish to express is that DOE/WIPP officials were not consulted before the proposed permit modifications were introduced. The proposed changes are so highly material in nature and would have such negative consequences for overall environmental management that surely some initial discussion was in order. I fear NMED has been bowing to political agendas and not respecting the facts, law, and science.

Cathrynn N. Brown

New Mexico House of Representatives

State Representative, District 55