



14 May 2026

Hon. James Kenney
Secretary
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 Idaho Falls, City of Ammon, and Bonneville County we are writing to express our concern about the draft permit modification for the Waste Isolation Pilot Plant (WIPP) issued by the New Mexico Environment Department (NMED). A modification of this nature will slow down and endanger cleanup progress in Idaho and communities at Environmental Management (EM) sites across the country.¹

From our perspective, the existing 2024 permit framework is still relatively new and appears to be functioning as intended. It was developed through extensive negotiations and already includes provisions intended to prioritize legacy transuranic (TRU) waste disposal while maintaining flexibility for cleanup sites across the Department of Energy complex. The permit modification finalized by NMED less than two years ago addressed key issues and prioritized legacy waste while ensuring WIPP could continue operating efficiently. The 2024 permit appears to be working well and was described by NMED as the result of “successful negotiations”² and “a Legacy TRU Waste Disposal Plan” was introduced and incorporated into the permit to define the term “legacy waste” and establish a process for working with generator/storage sites as well stakeholders to accurately inventory this waste once defined. In addition, Panel 12 will be reserved for legacy waste to the extent practicable.

WIPP plays an essential role in the nation’s environmental cleanup mission. And WIPP is critically important to our region and the cleanup mission at the Idaho National Laboratory, as WIPP being the nation’s only deep geologic repository for defense-related TUR waste, it is 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.

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>



Since operation began, WIPP has assisted in the remediation of 22 DOE sites containing legacy TRU waste. 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. We are concerned that reducing shipments or altering the current framework 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.

Given that the 2024 permit was only recently finalized, and already adequately addresses the prioritization of legacy waste across the country while balancing national environmental cleanup and security priorities, we believe that additional time is warranted to evaluate its progress before any substantial new modifications are adopted.

We respectfully encourage NMED to continue collaborating with local governments, states, tribal communities, and DOE stakeholders under the current permit structure while further evaluating the impacts of the proposed changes.

Sincerely,

Handwritten signature of Lisa Burtenshaw in black ink.

Lisa Burtenshaw
Mayor, City of Idaho Falls

Handwritten signature of Michelle Mallard in blue ink.

Michelle Mallard
Commissioner, Bonneville County

Handwritten signature of Karl Casperson in blue ink.

Karl Casperson
Commissioner, Bonneville County

Handwritten signature of Brian Powell in black ink.

Brian Powell
Mayor, City of Ammon

Handwritten signature of Jon Walker in blue ink.

Jon Walker
Commissioner, Bonneville County



Cc: Energy Communities Alliance Board of Directors

Governor Brad Little, State of Idaho

Lt. Governor Scott Bedke, State of Idaho

Raul Labrador, Attorney General State of Idaho

Nicholas Balsmeier, Department of Energy EM Idaho Field Office

John Wagner, Idaho National Laboratory

Dan Coyne, Idaho Environmental Coalition

Jess Byrne, Idaho Department of Environmental Quality

Cally Younger, Idaho Office of Energy and Mineral Resources