

Edward Rodriguez

I oppose the new Permit Modifications by New Mexico Environmental Department to force WIPP to set aside between 55% -75% of available capacity. I feel the request to allocate space for Los Alamos National Laboratory (LANL) waste would best be addressed by mandating that LANL increase their batching of properly characterized waste to ensure removal from site and emplacement within WIPP facilities. It seems to me that this more an effort to slow WIPP's Operations by requiring cells be kept open for this specific generator site. The shipments from LANL are not dictated by WIPP, they are a direct action of personnel applications by LANL. Furthermore, I feel this action conflicts with federal law, specifically the WIPP Land Withdrawal Act, which authorizes disposal of **all defense-related transuranic waste without distinguishing between "legacy" and newly generated waste.**

WIPP has more than enough capacity to accept New Mexico's waste it simply needs LANL to get it ready for shipment in a timely manner. New Mexico generated waste would only account for about 5% of remaining disposal capacity. There is not nor, has there been a demonstrated need for regulatory intervention to reserve space. **We can't be mad at the trash truck for not picking up the trash we did not get to the curb for pick up.**

There is no evidence of any delayed shipments from Los Alamos National Laboratory (LANL) due to WIPP capacity or prioritization issues. Shipments are scheduled based on generator site readiness, not WIPP restrictions: when waste is ready WIPP accepts and emplaces it promptly. Simply stated when waste is ready, WIPP accepts and emplaces it promptly.

WIPP is a safe and efficiently run operation that serves all of America through the Department of Energy. The workforce is highly trained and capable of performance of duties. WIPP plays a major role in the economies of both Eddy and Lea Counties, not only a major employer, but as an active community member. Volunteer hours from highly trained and educated scientists and engineers benefit our educational systems and generate great interests in STEM in our K-12 grades. They also are a driving force behind our Southeast New Mexico College offerings and training program. They have been and continue to be instrumental in development of "grow your own" certification programs, keeping our youth in our community by offering steady, high paying positions upon completion of classes.

I ask that this Permit Modification not be allowed.