

GARY LASSWELL

To: New Mexico Environment Department

Regarding: WIPP Agency-Initiated Modification Draft Permit

I am writing to support the New Mexico Environment Department (NMED) draft Hazardous Waste Facility Permit modification to the Waste Isolation Pilot Plant (WIPP).

I am a retired environmental compliance specialist, living in Santa Fe, NM. I have 38 years experience in a variety of regulatory enforcement and collaborative agreement functions to ensure compliance with various environmental regulations and requirements. My background includes 15 years in hazardous and radioactive waste management, with 12 years in direct support of efforts as a contractor to DOE for clean-up and waste disposal obligations for legacy waste generated from the Manhattan Project at former weapons productions facilities, including at Los Alamos National Laboratory (LANL), Rocky Flats, and Hanford.

Given my 12-year career in the nuclear waste industry, I have been intimately involved in the various processes associated with safe and compliant retrieval, characterization and shipment of legacy transuranic (TRU) waste for disposition at WIPP. I have witnessed first-hand the astounding cost of clean-up of legacy waste and find it astonishing that after 80+ years there is still a tremendous amount of work ahead to properly dispose of legacy waste and to remediate former weapons production sites.

I strongly support the several critical requirements for the DOE that are included in the draft permit:

Legacy Waste Definition. Codifying a clear definition of legacy waste to hold DOE accountable to NM standards. A specific definition of "legacy waste" will prevent DOE from excluding certain waste streams from legacy clean-up obligations. It is my hope that this "legacy waste" definition will also address my concern that newly generated waste from renewed pit production that is proposed for LANL and Savannah River Site will not take priority over legacy waste that has been languishing for many decades at former weapons production sites across the United States! The DOE has the responsibility to manage legacy waste through to the end of it's life cycle by disposing it at WIPP in a timely manner to ensure the safety of workers and communities surrounding LANL and WIPP and all the communities along the transportation route.

Disposal Metrics. Mandating that LANL legacy waste accounts for 55% of total disposal volume at WIPP from 2027 through 2031, and 75% of total volume must be LANL legacy waste starting in 2031. This requirement addresses a disparity where DOE disposed of five times more waste from Idaho National Laboratory than from LANL between 2021 – 2025.

Deadlines. Requiring DOE to dispose of all above-ground LANL Material Disposal Area G legacy waste by July 1, 2028. Establishing a hard deadline versus indefinite timelines that were allowed in previous permit frameworks allows NMED officials to put the focus back on legacy waste cleanup and counters the DOE's position to walk back from their obligations to meet the terms of the settlement agreement.

Transparency. Imposing enhanced reporting requirements to demonstrate compliance with these new obligations. Mandating robust reporting requirements to demonstrate compliance with the specific metrics and deadlines is a significant improvement from the previous general reporting obligations and ensures continuous state oversight rather than retrospective reviews.

Finally, I also request that NMED hold a public hearing on this permit modification.

Thank you for the opportunity to provide these comments.

Sincerely,
Gary Lasswell