

February 28, 2014

Secretary Ryan Flynn  
New Mexico Environment Department  
1190 St. Francis Dr., Suite N4050  
Santa Fe, NM 87505

Dear Secretary Flynn:

We appreciate your statements on February 20 in Carlsbad: “Our primary focus is investigating what happened here at the WIPP site.” And: “One event is far too many.”

We agree with you that the federal, state, and public resources should be focused on what happened with the radiation leak at WIPP, how to clean up the contamination, and how to prevent future events. That focus will be required for at least several months.

However, such a focus is contrary to the fact that on February 14, before the radiation leak was detected, NMED issued the draft class 3 permit modification for 60 days of public comment. The draft permit would expand WIPP’s underground waste panels, reduce panel closure safety barriers that protect workers and the public from releases, and change the underground volatile organic compound (VOC) monitoring system. Those matters are complex and controversial at any time, but especially so given the radiation leak event and the many uncertainties that it raises about WIPP’s current performance and what permit requirements are needed to prevent any future event. Significant public resources from our organizations and individuals are required to review the draft permit and submit written comments. Then, NMED, WIPP, and public resources would be required to revise the draft permit, prepare for and conduct the public hearing, and complete the post hearing activities, before NMED could issue a final permit.

Therefore, we request that you use your authority and withdraw that draft permit. Once the radiation leak investigation and recovery occur, we would urge NMED to re-evaluate the draft permit in light of what is learned and make needed changes to protect public health and the environment before issuing a new draft permit for public review and comment.

We believe that withdrawal of the draft permit at this time is needed and prudent, and we urge you to promptly take that action.

Sincerely,

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