

August 20, 2018

Butch Tongate, Secretary
New Mexico Environment Department (NMED)
1190 Saint Francis Drive, PO Box 5469
Santa Fe, NM 87502-5469

RE: WIPP Draft Permit of August 6, 2018

Dear Secretary Tongate:

The undersigned organizations, representing thousands of New Mexicans, request an extension of the public comment period to 90 days on the Class 3 Modification To Clarify TRU Mixed Waste Disposal Volume Reporting that NMED issued on August 6, 2018.

You determined in your June 1, 2018 decision to consider this WIPP request as a Class 3 modification that “there is significant public concern and the complex nature of the proposed change requires the more extensive procedures of a Class 3 modification.” The 45-day comment period provided is not sufficient when there is so much public concern. The proposed change is very technically complicated, including that it could increase WIPP’s waste capacity by approximately 30 percent. Some groups may need to retain technical assistance, which also takes time.

The Administrative Record for the draft permit is thousands of pages – requiring more than 45 days for an adequate review.

The Public Involvement Plan posted on August 6 states: “The Hazardous Waste Bureau may extend the public comment period, if a request is received during the public comment period to extend the comment period based on significant interest.” (Part XII.) A modification as important as this should have at least a 90-day comment period to ensure that NMED receives the best comments possible.

We believe that the undersigned organizations fully meet that significant interest requirement.

Please extend the public comment period to be 90 days.

Thank you for your prompt response.

Sincerely,

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