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HOUSE MEMORIAL 89

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

John A. Heaton

A MEMORIAL

RECOGNIZING THE IMPORTANCE OF PUBLIC PARTICIPATION AND
STAKEHOLDER NEGOTIATIONS IN THE 2006 WASTE ISOLATION PILOT
PLANT (WIPP) PERMIT MODIFICATION.

WHEREAS, on October 16, 2006, Governor Bill Richardson and
Secretary Ron Curry, New Mexico department of environment,
issued a historic modification to the waste isolation pilot
plant (WIPP); and

WHEREAS, the modified permit incorporates the most
significant changes in WIPP's operations since the original
permit was issued in 1999, allows the disposal of remote-
handled transuranic (TRU) wastes, changes the waste
characterization process, adds new waste confirmation
procedures, increases the facility's waste storage capacity and
adds a new method for demonstrating that underground disposal

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1 rooms at WIPP comply with environmental performance standards
2 for volatile organic compounds; and

3 WHEREAS, the permit also requires the United States
4 department of energy and its operating contractor, Washington
5 TRU Solutions, to maintain an email notification list of people
6 and organizations interested in many of WIPP's operations; and

7 WHEREAS, the permit modification underscores WIPP's role
8 as an economic engine in southeastern New Mexico and was issued
9 without sacrificing environmental protection for all New
10 Mexicans; and

11 WHEREAS, the issuance of the modified permit truly
12 demonstrates the effectiveness of meaningful public
13 participation and stakeholder involvement; and

14 WHEREAS, the department of environment-led negotiations,
15 which began in March 2006 and lasted for more than two months,
16 intended to resolve issues that gave rise to opposition to the
17 draft permit; and

18 WHEREAS, the negotiations resulted in several important
19 agreements among the department of environment; the WIPP
20 permittees, which are the department of energy, owner and a co-
21 operator of WIPP, and Washington TRU Solutions, LLC, a co-
22 operator of WIPP; Southwest Research and Information Center;
23 Concerned Citizens for Nuclear Safety; Citizens for
24 Alternatives to Radioactive Dumping; the New Mexico office of
25 the attorney general; and other organizations and individuals

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1 who participated by phone; and

2 WHEREAS, the department of environment convened a public
3 hearing on the draft permit on May 31, 2006, and, after hearing
4 more than a week of technical testimony and public comment in
5 both Carlsbad and Santa Fe and considering volumes of evidence,
6 Governor Bill Richardson and Secretary Ron Curry issued a
7 permit that included the negotiated changes; and

8 WHEREAS, the negotiated permit is not only protective of
9 public health and the environment but is also protective of the
10 public's right to full disclosure of information at the WIPP
11 facility; and

12 WHEREAS, through the permit negotiations, the parties
13 agreed to several important provisions that will continue to
14 ensure the safe operation of WIPP and facilitate the free
15 exchange of information between WIPP, the department of
16 environment and persons and organizations interested in WIPP's
17 potential environmental impacts; and

18 WHEREAS, the team of committed permit writers and
19 attorneys, under the skillful leadership of James Bearzi, the
20 department of environment's hazardous waste bureau chief, the
21 department demonstrated sound science, strong leadership and
22 true commitment to the protection of public health and the
23 environment;

24 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
25 REPRESENTATIVES OF THE STATE OF NEW MEXICO that recognition be

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1 extended to the New Mexico department of environment and the
2 WIPP permit team of James Bearzi; Steve Zappe, WIPP project
3 leader; Kate Lynnes, former department environmental scientist;
4 and Chuck Noble, assistant general counsel, for their
5 negotiation efforts; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to Governor Bill Richardson, Secretary Ron Curry
8 and James Bearzi.

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