

Only a Few of the Many Important Current Considerations Regarding the Waste Isolation Pilot Plant

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Radioactive and Hazardous Materials
Committee
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George Anastas,
P.E., CHP, BCEE, MPH, FHPS, FARPS
Albuquerque, New Mexico



Federal agencies have a fiduciary obligation to the people they serve consistent with the rule of law

The Land Withdrawal Act (LWA) prohibits DOE from transporting or burying spent nuclear fuel and high level waste in WIPP.

DOE signed the Consultation and Cooperation Agreement regarding WIPP with New Mexico and the LWA provides State regulation, including the WIPP Hazardous Waste Permit.

DOE promised that waste contaminated with small quantities of transuranic radioactive material would be buried at WIPP.

State Regulatory agencies have a fiduciary obligation to the people they serve

The NMED Mission

The mission is to protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations.

Collaboration

Engaging communities and interested stakeholders in environmental decision-making outcomes.

Compliance

Ensuring meaningful compliance with state regulations and permits; leveling the playing field through enforcement.

DOE/WIPP and the NMED are Closely Tied

- Over the past 10 or so years NMED has been a “rubber stamp” for WIPP requests.
- ► In 2018, NMED approved the change to calculate the volume of waste disposed in order for DOE to dump additional waste into WIPP in excess of legal limits.
- ► NMED (and the US Environmental Protection Agency) have allowed DOE to dispose of pieces of spent nuclear fuel and UREX fuel reprocessing waste originating from Argonne National Laboratory and pieces of spent nuclear fuel originating from Sandia National Laboratory in WIPP that are legally prohibited.

- ► In the late 1980s DOE began promising that WIPP was to operate for 25 years, and NMED has always included that duration in the State Permit beginning in 1999, but now DOE wants WIPP to operate essentially in perpetuity (beyond 2050!!) – NMED should not change the 2024 end of Disposal Operations clearly articulated in the Permit and promised to New Mexicans.
- ► NMED has allowed the DOE to construct a new waste shaft to expand WIPP without the required public hearing and ignoring the vocal opposition to this WIPP expansion.

No Longer Will New Mexico be Known as *The Land of Enchantment*

- ► DOE plans to expand WIPP to be the world's only weapons grade plutonium ore body beginning with the expected 15,000 pounds and rising to over 132,000 pounds buried at WIPP!
- *New Mexico The Land of the World's Only Weapons Grade Plutonium Ore Body*

► Honourable Ladies and Gentlemen of the Committee:

- New Mexico has more than reasonably supported the national effort in the nuclear age and national defense:
- vast areas of New Mexico are contaminated with uranium and related byproducts,
- New Mexico is the home of the only transuranic waste dump in the world,
- vast transportation of nuclear materials on New Mexico roads,
- New Mexico is home to two large nuclear national laboratories,
- DOE plans to create the world's only weapons grade Plutonium ore body in New Mexico,
- three (3) nuclear detonations in New Mexico, and more.

- Isn't it about time that New Mexico holds DOE/WIPP to the agreements with New Mexico, promises made to New Mexicans, the rule of law, the rule of reason, all in the interests of the people of New Mexico?
- I will not discuss the findings of the Defense Nuclear Facilities Safety Board, the findings of the Mine Safety Administration nor the severe accidents at WIPP. Perhaps at another time. The trend of these findings and the results of these accidents are stark and alarming.
- Thank you for the opportunity to present a few of the many current considerations relating to the Waste Isolation Pilot Plant.

- Sincerely,

- *George Anastas*, Albuquerque, New Mexico October 2020