

nuclear watch new mexico



June 18, 2010

Mr. Steve Zappe
New Mexico Environment Department
2905 Rodeo Park Drive, Building 1
Santa Fe, NM 87505



By email to: steve.zappe@state.nm.us

Re: Comments on Class 2 Permit Modification Request to Revise Volatile Organic Compound Concentrations of Concern and Update These Values Using Current EPA IRIS Data at the Waste Isolation Pilot Plant, April 2010

Dear Mr. Zappe:

Nuclear Watch New Mexico respectfully submits the following comments for the Class 2 Permit Modification Request for the Waste Isolation Pilot Plant (WIPP):

1. The Permittees submitted the permit modification as a Class 2 request. See 40 CFR 270.42(b). We believe that the complexity of the request regarding reapportionment of risk is not appropriate as a class 2 modification, and at least that part of the request requires the New Mexico Environment Department to classify it as a Class 3 request or to deny the requested reapportionment of risk.
2. We request that the explosion/isolation wall for Panel 5 be built as soon as the panel is filled. This would protect the workers during the remaining waste emplacement activities.
3. We request that the current overpack activities for the waste streams containing high levels of carbon tetrachloride continue.
4. We request that carbon tetrachloride mitigation at the generator site continue to be explored.
5. We request that the new regulatory limits for carbon tetrachloride be held to below 500ppbv.



We are concerned that the reason indicated for this Permit Modification Request and the explanation why the modification is needed do not address the actual reason or need. Even at the public meeting in May 2010, the "What Prompted This Change" slide (number 4) does not mention the rising levels. We believe that if the carbon tetrachloride levels were not rising toward the regulatory limit, then this permit modification would not have been requested. If this PMR is needed because the carbon tet levels are about to exceed original limits that were set over a decade ago based on best estimates for a waste facility that had never been built before, then just say that, please.

Thank you for your consideration of our comments.

Respectfully,

Scott Kovac
Operations and Research Director
Nuclear Watch of New Mexico