

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

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

WHEREAS, the permit modification underscores WIPP's role
as an economic engine in southeastern New Mexico and was

issued without sacrificing environmental protection for all New Mexicans; and

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

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

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

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

WHEREAS, the negotiated permit is not only protective of

public health and the environment but is also protective of the public's right to full disclosure of information at the WIPP facility; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that recognition be extended to the New Mexico department of environment and the WIPP permit team of James Bearzi; Steve Zappe, WIPP project leader; Kate Lynnes, former department environmental scientist; and Chuck Noble, assistant general counsel, for their negotiation efforts; and

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