

SUMMARY OF PUBLIC COMMENTS RECEIVED (AR # 191220)
Class 2 Permit Modification Request (PMR)
Removal of Deteriorating/Non-Essential Water Level Monitoring Program Wells
Comment Period October 27 - December 26, 2019

ON-TIME Comments

AR#	NAME	ORGANIZATION	CITY	DATE OF LETTER
Emails-Letters				
191220.1	Dale Janway, Mayor/John Heaton, Chairman	City of Carlsbad/Carlsbad Mayor's Nuclear Task Force	Carlsbad	11/1/2019
191220.2	Don Hancock	Southwest Research and Information Center (SRIC)	Albuquerque	12/24/2019
191220.3	Steve Zappe		Santa Fe	12/25/2019



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MICHAEL HERNANDEZ
CITY ADMINISTRATOR

November 1, 2019

To: Mr. Ricardo Maestas

New Mexico Environment Department

Ricardo.maestas@state.nm.us

Dear Mr. Maestas:

The Carlsbad Mayor's Nuclear Task Force appreciates the opportunity to participate in the Permit Modification discussion. Members of our task force attended the Aug. 20 pre-submittal meeting, and we have also reviewed documents related to the Class 2 Permit Modification Request calling for the removal of Deteriorating or Non-Essential Water Level Monitoring Program Wells.

We have no issue with this permit, as the case is clearly made that the seven steel-cased wells that will be plugged are deteriorating. Furthermore, a Sandia study concludes that removing these wells from the network would not impact the ability to monitor the groundwater flow at WIPP.

Thank you again for the opportunity to comment.

Carlsbad Mayor Dale Janway

John Heaton, Nuclear Task Force Chairman

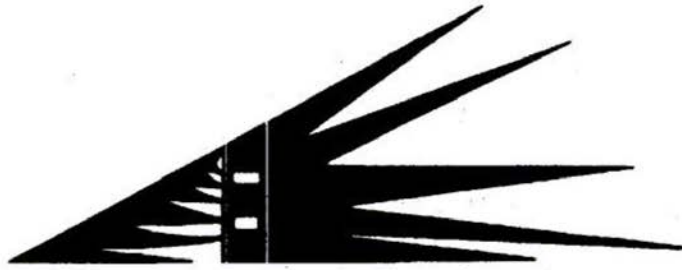
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December 24, 2019

Ricardo Maestas
New Mexico Environment Department (NMED)
2095 Rodeo Park Drive, Building 1
Santa Fe, NM 87505

Via email: Ricardo.Maestas@state.nm.us

RE: WIPP Class 2 Modification Request - Removal of Water Level Monitoring Wells

Dear Ricardo,

Southwest Research and Information Center (SRIC) provides the following comments on the Class 2 Permit Modification request, dated October 25, 2019, according to the public notice and the request document.

SRIC appreciates that the permittees provided a draft of the proposed request and that representatives of the permittees as well as NMED met with SRIC and other citizen group representatives, and members of the public on August 15, 2019 in Santa Fe. SRIC continues to believe that such pre-submittal meetings are useful and supports continuing that “standard” practice in the future.

However, SRIC notes three changes in the pre-submittal meeting format at the August 15 meeting. A positive change is that translation facilities are available, as needed. The other two changes are not so positive. First, SRIC does not understand the reasons to have the stenographer, as the previous practice of having people take notes seems adequate. The stenographer is not necessarily familiar with WIPP terminology, which can interrupt the flow of the meeting when the stenographer needs to ask the speaker to explain or repeat what was said. Second, the change of the normal pre-submittal meeting location from Albuquerque to Santa Fe is more problematic. Because a required post-submittal meeting continues to be in Santa Fe, people in Albuquerque have to travel a greater distance to participate in any meeting, whereas the previous practice had the added value of allowing more convenient participation by people from the state’s largest city, who have a history of involvement in WIPP activities. SRIC requests that the permittees reconsider that practice and resume holding pre-submittal meetings in Albuquerque. SRIC has no objection to required meetings being held in Santa Fe.

Regarding the modification, SRIC does not object to the removal of the seven water-level monitoring wells. The addition of Appendix C to the request, which was not included in the draft submittal and was encouraged at the pre-submittal meeting, is helpful to demonstrate that

the removal of the seven wells apparently has little effect on the results from the remaining water-level monitoring wells.

However, as provided by 20.4.1.900 NMAC (incorporating 40 CFR 270.42(b)(6)(i)(A)) and past practice, SRIC requests that NMED's approval incorporate some changes, including:

1. In the List of Tables, for Table L-4, the date should be "January 2020" (or the month in which the NMED approval is granted). The seven wells should not have been removed in October 2019 without approval of NMED, so the date in the request is incorrect.
2. In the List of Figures, Figure L-5 should not be removed, as proposed. The figure provides useful information to NMED and the public, which should remain in the Permit. Instead, Figure 1 on page C-3 of the request should become Figure L-5. That figure, without the heading and without the explanatory note, would be current as of October 2018, which should be noted either at the bottom of the figure, as is the case in the existing Permit, or added to the Legend (and List of Figures) – "Culebra Freshwater-Head Potentiometric Surface, October 2018".
3. On revised Table L-4, the date should be changed, as described in #1 above.
4. Figure L-5 should be revised as described in #2 above and not be deleted.

Thank you for your careful consideration of, and your response to, these and all other comments.

Sincerely,



Don Hancock

cc: Dave Cobrain

From: [Maestas, Ricardo, NMENV](#)
To: [McLean, Megan, NMENV](#)
Subject: Fwd: [EXT] Comment on Oct 25, 2019 WIPP Class 2 PMR (Removal of Deteriorating/Non-Essential Water Level Monitoring Program Wells)
Date: Thursday, December 26, 2019 12:16:00 PM

Sent from my Sprint Samsung Galaxy S7.

----- Original message -----

From: Steve Zappe <steve_zappe@mac.com>
Date: 12/25/19 11:26 PM (GMT-07:00)
To: "Maestas, Ricardo, NMENV" <Ricardo.Maestas@state.nm.us>
Cc: Don Hancock <stricdon@earthlink.net>, Scott Kovac <scott@nukewatch.org>, Joni Arends <jarends@nuclearactive.org>, "Cobrain, Dave, NMENV" <dave.cobrain@state.nm.us>
Subject: [EXT] Comment on Oct 25, 2019 WIPP Class 2 PMR (Removal of Deteriorating/Non-Essential Water Level Monitoring Program Wells)

Hi, Ricardo -

I procrastinated writing this comment to the last minute and need to submit it before leaving on vacation December 26. This comment is concerning the Class 2 Permit Modification Request (PMR) entitled "Removal of Deteriorating/Non-Essential Water Level Monitoring Program Wells", which was submitted to NMED on October 25, 2019. Please consider this a written comment submitted in a timely manner on this PMR.

The Permittees are proposing to remove Figure L-5, "Culebra Freshwater-Head Potentiometric Surface." The Permittees state on page 9 of the PMR, "This figure is proposed for removal from the Permit since this figure is obsolete and is updated in the Annual Culebra Groundwater Report, which is provided to the NMED in accordance with Permit Part 5, Section [5.10.2.1](#), Data Evaluation Results."

The fact that this figure is submitted annually to NMED does not render it "obsolete" with respect to the permit, nor does removing the reference to it in Permit Attachment L, Section L-1a(2)(iii), *The Rustler*, make the text in that section any clearer. The potentiometric surface changes almost negligibly from year to year, and if "a picture is worth a thousand words," a map to accompany the description in Section L-1a(2)(iii) is worth much more than the couple of lines devoted to it. Seriously, does the text statement, "The hydraulic gradient within the Culebra in the area of the WIPP facility is approximately 20 ft per mi (3.8 m per km) and becomes much flatter south and southwest of the site" make much sense without the figure?

My comment specifically is that this figure should not be removed, nor should any references to it be removed. Instead, the Permittees should simply update it with the most recent public version of the map and provide the map date, as the current Figure L-5 does. Retaining a map of the Culebra freshwater head potentiometric surface makes it easier for NMED and the public to understand the likely transport path of any potential future release from the

repository. Removing it from the permit and forcing the public to search for another document is unwarranted and should be denied.

Thanks for considering my comment.

Steve Zappe
Santa Fe, NM