

### New Mexico tightens restrictions on permit renewal

The New Mexico Environment Department (NMED) is adding several conditions to the hazardous waste permit for the Department of Energy's Waste Isolation Pilot Plant. The permit changes, which would

prioritize the disposal of transuranic (TRU) waste generated in the state and limit the repository's capacity, are part of a draft WIPP hazardous waste operating permit the NMED issued on December 20, 2022.

"The New Mexico Environment Department is taking a strong stance to protect the health, environment, and interests of New Mexicans," said New Mexico Environment Secretary James Kenney. "The proposed permit changes clearly prioritize DOE's cleanup of legacy contamination in our state while holding the permittees accountable."

The DOE and WIPP operating contractor Nuclear Waste Partnership applied to the NMED to renew the WIPP hazardous waste permit in March 2020. The current permit, which expired on December 30, 2020, has been extended by the state until a new operating permit is issued. WIPP first received a hazardous waste facility permit from the state in 1999 to dispose of defense-related TRU waste 2,150 feet below ground in the geologic repository.

The NMED is proposing several new conditions in the draft permit, including prioritizing the disposal of legacy DOE wastes at WIPP that are generated from New Mexico cleanup activities, tying WIPP's closure to the end of the permit term (i.e., 10 years after the new permit is issued) unless the DOE can provide an accurate inventory of all remaining wastes awaiting cleanup and emplacement, and revoking the DOE's state operating permit should Congress change the federal Land Withdrawal Act to allow for increased waste emplacement at WIPP.

The NMED said it must ensure that the final WIPP operating permit is consistent with the New Mexico Hazardous Waste Management regulations, adding that it will issue, modify and issue, or deny the WIPP permit after considering all written and oral public comments received and all data, views, and arguments presented at a public hearing.

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