



State of New Mexico
ENVIRONMENT DEPARTMENT



Office of the Secretary

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RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

Via Electronic Mail

March 21, 2014

Dear Mr. Hancock, et al.:

Thank you for your letter regarding the release event at the WIPP Facility.

As you know, I am very concerned about the events that unfolded at the WIPP site beginning on the night of February 14th, and I am also concerned about the Department of Energy (DOE) and their contractor's response to the release.

As you also know, I traveled to Carlsbad on February 20th to demand that DOE be more forthcoming with their sampling data and recovery plans and that the DOE be more transparent with the public. In response to my concerns, DOE has been holding weekly public meetings to provide updates to the public and respond to the public's questions about the event. The New Mexico Environment Department (Department) has also set up an information page that is accessible through our website.¹ We will continue to update the information page as we receive additional information.

On February 27, 2014, the Department issued an Administrative Order to the Permittees to ensure continued protection of human health and the environment. The Order mandates, among other things, that the Permittees will be required to submit weekly reports to the Department, and that under no circumstances will the Permittees commence normal operating status without the prior inspection and approval by the Department. The Department will be reviewing the weekly reports of the recovery and cleanup activities at the WIPP and posting them to our website. This effort may last for an extended period of time. The Department will continue to review information as the investigation and recovery proceeds.

I understand your concerns regarding the draft Permit for the Class 3 modification request. The draft Permit should be deferred until more is known about the root cause of the events at WIPP. Therefore, I have withdrawn the current draft Permit issued by the Department. If you have further questions, please contact John Kieling at (505) 476-6035 or Trais Kliphuis at (505) 476-6051.

Sincerely,

Ryan Flynn
Cabinet Secretary
New Mexico Environment Department

¹ The WIPP Information Page may be found at the following address:
<http://www.nmenv.state.nm.us/NMED/Issues/WIPP2014.html>