

## ***New Mexico: Dump Site for More Waste?***

The Department of Energy (DOE) opened the Waste Isolation Pilot Plant (WIPP) in 1999 for defense transuranic (TRU-plutonium-contaminated) waste. Two federal laws limit the 16-square-mile site in southeastern New Mexico to TRU waste from nuclear weapons. Those limitations are because of strong opposition from New Mexicans and state government officials to any commercial waste or any defense high-level waste storage or disposal. During 2012, ***DOE seeks to expand WIPP with large quantities of mercury and other radioactive wastes. But people can speak out against DOE's plans!***

### ***What are DOE's plans for mercury?***

In January 2011, DOE released its *Final Long-Term Management and Storage of Elemental Mercury Environmental Impact Statement (Mercury Storage EIS)* (DOE/EIS-0423). The EIS considered seven sites (Grand Junction, CO; Hanford, WA; Hawthorne, NV; Idaho National Lab, ID; Kansas City Plant, MO; Savannah River Site, SC; and Waste Control Specialists (WCS), TX) as reasonable alternatives for storage for up to 40 years (starting in 2013) for about 10,000 metric tons of elemental mercury that would be stored in more than 120,000 containers. The EIS said the preferred alternative site was WCS. Sixteen months later, DOE has "reconsidered" those sites and announced it will supplement the EIS to consider two New Mexico sites - WIPP and an area just outside the northern WIPP site boundary.

### ***Where would the mercury come from?***

The mercury comes from nuclear weapons work at the Y-12 Plant in Tennessee (~1,200 metric tons), and non-government activities: gold mining in Nevada (3,700 - 4,900 metric tons); reclaiming and recycling mercury from products done at four facilities in Illinois, Maine, Pennsylvania, and Wisconsin (~2,500 metric tons); and closure of four chlor-alkali plants in Georgia, Ohio, Tennessee, and West Virginia (~1,100 metric tons). The proposal would do nothing to address the mercury found in New Mexico lakes, rivers and streams.

### ***Why is DOE in charge of so much non-government mercury?***

Congress passed the Mercury Export Ban Act of 2008 (Public Law 110-414) that directed DOE by January 1, 2010 to designate a facility or facilities for the long-term management and storage of elemental mercury generated within the United States and to begin operating the storage facility or facilities on or before January 1, 2013. The law also banned the export of elemental mercury from the U.S. to other nations effective January 1, 2013. Congress took those actions because mercury is highly toxic to humans, ecosystems, and wildlife. **Congress found that "as many as 10 percent of women in the United States of childbearing age have mercury in the blood at a level that could put a baby at risk; that as many as 630,000 children born annually in the United States are at risk of neurological problems related to mercury; and that the most significant source of mercury exposure to people in the United States is ingestion of mercury-contaminated fish."** Congress also determined that "banning exports of elemental mercury from the United States will have a notable effect on the market availability of elemental mercury and switching to affordable mercury alternatives in the developing world."

### ***What are the concerns about mercury storage at WIPP?***

Current federal laws prohibit WIPP from being a mercury storage site. DOE should comply with those laws and exclude WIPP (and any New Mexico site) from consideration, as it had previously done in its original EIS. Mercury is highly toxic and thousands of shipments of mercury on the same highways bringing radioactive waste to WIPP (which the proposed second site would also do) will increase the risks of radioactive and hazardous waste contamination from transportation accidents.

### ***What additional radioactive wastes does DOE plan for WIPP?***

DOE also plans to request three other expansions of WIPP in 2012. (1) Bringing more hot "Remote-Handled" (RH) TRU waste in shielded containers, (2) designating WIPP as the disposal site for 160,000,000 curies of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste from commercial nuclear power plants, and (3) shipping additional nuclear weapons grade plutonium waste from the Savannah River Site (SRS), SC that had never previously been included in the WIPP inventory.

### ***Why is New Mexico especially targeted for those wastes?***

WIPP is the only geologic disposal site operating in North America, so it is the only "fast-track solution" to the U.S.'s lack of nuclear waste disposal sites. Because some people in southeastern New Mexico say that they welcome more waste, DOE and other people think that is the view of most New Mexicans. DOE also thinks that current state officials would accept a lot more waste at WIPP or nearby sites. Many other states have said "No" to disposal of those wastes in their states, so New Mexicans also must again say "No," or current laws could be changed and New Mexico could become the dump site for any and all of the proposed waste.

### ***What do additional radioactive wastes have to do with mercury storage?***

In 2011, hundreds of New Mexicans told DOE that WIPP and New Mexico are not appropriate GTCC waste disposal sites, and that we oppose changing the laws that limit WIPP's mission. In announcing the mercury supplemental FEIS, DOE specifically states that it "will evaluate the cumulative impacts of constructing and operating a facility for long-term management and storage of elemental mercury with the ongoing and planned operations of WIPP for disposal of defense transuranic waste, as well as the potential disposal of greater-than-Class C waste." Thus, DOE is explicitly saying that expanding WIPP for mercury storage and GTCC waste disposal are related. **Comments on both issues are explicitly requested, and we can say that we strongly oppose both mercury storage and GTCC waste disposal.**

### ***What Can I Do?***

**Submit written comments to DOE.** Tell DOE:

*I strongly oppose WIPP or any New Mexico site for long-term mercury storage. I also oppose GTCC waste at WIPP or any New Mexico site. DOE should comply with existing law and not consider WIPP and New Mexico sites for long-term mercury storage and GTCC waste disposal.*

**The current deadline for written comments to DOE is July 5, 2012. Submit to:**

David Levenstein, Document Manager, Office of Environmental Compliance (EM-41), U.S. Department of Energy, P.O. Box 2612, Germantown, MD 20874, or

E-mail: [David.Levenstein@em.doe.gov](mailto:David.Levenstein@em.doe.gov)

The Final Mercury EIS and other information can be found at:

<http://mercurystorageeis.com>

**Attend the scoping meeting on June 28<sup>th</sup> in Albuquerque** - Crowne Plaza Hotel, 1901 University, NE from 6:00 - 8:30 p.m. Open House from 4:30 - 6:00.

### ***For more information:***

Southwest Research and Information Center. (505) 262-1862. [www.sric.org](http://www.sric.org)

Citizens for Alternatives to Radioactive Dumping. (505) 266-2663. [contactus@cardnm.org](mailto:contactus@cardnm.org)

Concerned Citizen for Nuclear Safety. (505) 986-1973. [www.nuclearactive.org](http://www.nuclearactive.org)

Nuclear Watch New Mexico. (505) 989-7342. [www.nukewatch.org](http://www.nukewatch.org)

June 15, 2012