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GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Water and Waste Management Division
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PETER MAGGIORE
SECRETARY

PAUL R. RITZMA
DEPUTY SECRETARY

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

July 14, 2000

Dr. Inés Triay, Manager
Carlsbad Area Office
Department of Energy
P. O. Box 3090
Carlsbad, New Mexico 88221-3090

Mr. Joe Epstein, General Manager
Westinghouse Waste Isolation Division
P.O. Box 2078
Carlsbad, New Mexico 88221-5608

**RE: DISPOSAL OF ASBESTOS WASTE AT WIPP
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Dr. Triay and Mr. Epstein:

On November 23, 1999, NMED received notification from the Department of Energy/Carlsbad Area Office that WIPP intends to dispose of transuranic (TRU) and TRU-mixed waste co-mingled with asbestos. This notice stated that such waste will be managed, stored, and disposed of consistent with the requirements of the WIPP hazardous waste permit (**the Permit**), and that the asbestos would be isolated by steel containers during handling and transportation. The WIPP RCRA Part B Permit Application clearly anticipated disposal of asbestos contaminated waste, and the WIPP Permit issued by NMED retained language describing the different types of asbestos waste (e.g., Attachment A, page A-3, line 25+; Attachment F, page F-5, line 3+).

Because this waste will be managed, stored and disposed of in RCRA units regulated under the WIPP Permit, NMED will continue to require that all TRU and TRU-mixed waste, including such waste co-mingled with asbestos, complies with all applicable requirements of the Permit. Because the standards for the management, storage, and disposal of waste in the Permit exceed the typical standards specified for asbestos in the Solid Waste Regulations, NMED believes no additional conditions are necessary for asbestos wastes at WIPP.

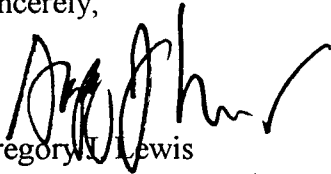
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Dr. Inés Triay
Mr. Joe Epstein
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If you have any questions regarding this matter, please contact me at (505) 827-1758.

Sincerely,



Gregory J. Lewis
Director
Water and Waste Management Division

GJL:soz

cc: James Bearzi, NMED HWB
John Kieling, NMED HWB
Steve Zappe, NMED HWB
✓ Susan McMichael, NMED OGC
David Neleigh, EPA Region 6
✓ Connie Walker, TechLaw
File: Red WIPP '00