



Department of Energy

Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221
November 8, 2000



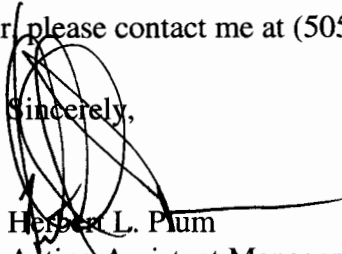
Mr. Steve Zappe, WIPP Project Leader
Hazardous Waste Permits Program
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo Street
Santa Fe, New Mexico 87505

Subject: Receipt of CERCLA Response Action Waste at WIPP

The purpose of this letter is to forward a copy of the determination made by the U. S. Environmental Protection Agency Region 6 that the Waste Isolation Pilot Plant (WIPP) is acceptable for the receipt of hazardous substances, pollutants, or contaminants from CERCLA response actions. For this waste to be emplaced at WIPP it would also have to be contaminated with TRU waste originating from defense related activities. We are currently reviewing the HWFP and the CCA to determine what amendments may be required to these documents to allow for receipt of this waste at WIPP, should it be generated. Further discussion of this topic with NMED will occur in the near future. It is our understanding from the attached letter that NMED has had discussions on this matter with EPA, Region 6.

Should you have any questions on this matter, please contact me at (505) 234-7462.

Sincerely,


Herbert L. Plum
Acting Assistant Manager
Office of Regulatory Compliance

cc:

J. Bearzi, NMED
J. Kieling, NMED





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 6
 1445 ROSS AVENUE, SUITE 1200
 DALLAS, TX 75202-2733

OCT 28 2000

COPY

Dr. Inés Triay, Manager
 U.S. Department of Energy
 Carlsbad Area Office
 P.O. Box 3090
 Carlsbad, NM 88221

Dear Dr. Triay:

In response to your request of May 23, 2000, the U.S. Environmental Protection Agency has determined that the Waste Isolation Pilot Plant (WIPP), Carlsbad, New Mexico (EPA ID #NM4890139088) is acceptable for the receipt of hazardous substances, pollutants, or contaminants from Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) response actions. The facility's actual receipt of CERCLA waste must be in accordance with State and Federal requirements.

This determination is made pursuant to the requirements prescribed in 40 CFR §300.440 58 Fed. Reg. 49200, 49215 - 49218, (September 22, 1993), and is based upon communication with representatives of the New Mexico Environment Department. If conditions change, or if new information reveals violations exist, then the acceptability determination may be effected.

If you have any questions regarding this letter, please contact Ron Shannon of my staff at (214) 665-2282.

Sincerely yours,

Samuel Coleman, P.E.
 Director
 Compliance Assurance and
 Enforcement Division

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