



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



December 26, 2002

OFFICE OF
AIR AND RADIATION

Dr. Inés R. Triay, Manager
Carlsbad Field Office
U.S. Department of Energy
P.O. Box 3090
Carlsbad, NM 99221-3090



Dear Dr. Triay:

Thank you for your letter dated November 21, 2002, informing the Environmental Protection Agency (EPA) of the Department of Energy's (DOE) current activities with regard to closure of Panel 1 in the Waste Isolation Pilot Plant (WIPP).

Your letter described DOE's request to extend the closure schedule for Panel 1. Under Condition 1 of EPA's WIPP Certification Decision, DOE must install the Option D Panel Closure Design described in the initial Compliance Certification Application (CCA). In October 2002, DOE requested that EPA approve a new panel closure design. In response, we notified you on November 15, 2002, that we are deferring review of the new panel closure design until after we have issued a recertification decision for the WIPP. Under the current proposal, DOE would install the explosion isolation portion of the Option D panel closure design required under Condition 1. Construction of the remaining portions of the panel closure would be delayed until the EPA and the New Mexico Environment Department render their respective final decisions on the request to approve a new design for the WIPP panel closure system.

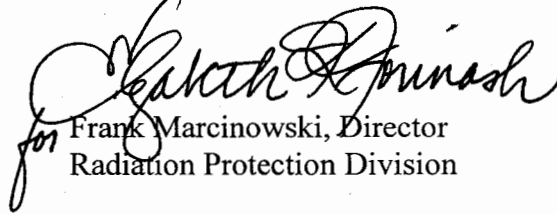
After reviewing the current proposal to extend the closure schedule, we have determined that this proposal does not constitute a significant change from the CCA or the basis for EPA's WIPP Certification Decision. A delay on the order of several years in installing the complete panel closure is not expected to affect long term performance of the disposal system. Therefore, with this letter we approve the proposed change in the closure schedule for Panel 1.

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If you have questions regarding this matter, please call Betsy Forinash at (202) 564-9233.

Sincerely,



Frank Marcinowski, Director
Radiation Protection Division

cc: Lynne Smith, DOE/HQ
Cindy Zvonar, DOE/CBFO
Russ Patterson, DOE/CBFO
Matthew Silva, EEG
Steve Zappe, NMED