



Department of Energy
Carlsbad Field Office
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AUG 04 2003

Mr. Geoff Petrie, Director
Waste Programs
Nuclear Watch of New Mexico
551 W. Cordova Rd. #808
Santa Fe, NM 87505

Subject: RH-TRU Letter of Concern

Dear Mr. Petrie:

This letter responds to your August 1, 2003 letter to me in which you expressed deep concern over alleged remarks made by Carlsbad Field Office (CBFO) staff during the July 29 meeting between the CBFO and Waste Isolation Pilot Plant (WIPP) oversight New Mexico State agencies in Santa Fe. The remarks were made in response to a question of whether members of the general public could participate in an upcoming generator site audit of Remote Handled (RH) transuranic (TRU) waste certification processes at the Los Alamos National Laboratory (LANL). CBFO staff initially expressed doubt that this could be done because of the high degree of security imposed at LANL. Steve Zappe of the New Mexico Environmental Department (NMED) immediately corrected CBFO by noting that the RH waste at LANL was stored at TA-54, and that while logistic issues would be problematic, security clearance would not be needed in order for observers to participate. CBFO acknowledged this clarification by NMED.

Thus, your deep concern is unfounded. Your allegation of the existence of "classified" RH waste is based on what you inferred from a casual remark. In addition, you completely ignored the clarification by NMED. CBFO is unaware of any RH waste in the Department of Energy (DOE) complex that would be categorized as "classified". RH waste is typically similar to Contact Handled waste, but with more penetrating radiation which results in a higher dose rate from the containers. Without any classified RH waste in the inventory, CBFO has no plans to modify the Permit Modification Request for RH waste currently being evaluated by NMED.

The above response does not answer the question that precipitated your concern. The question of public participation during generator site audits was carefully evaluated by the DOE when it established the audit process by which generator sites are certified to characterize and ship waste to WIPP. Typically, the NMED and the Environmental Protection Agency send audit observers to represent the interests of the public. The audits are prescriptive and very thorough. They are also very logistically challenging. There is nothing in the hazardous waste facility permit that speaks to participation by any organization other than the NMED. Audits typically are held in areas where DOE

