

March 22, 2004

Jeffrey Holmstead  
Assistant Administrator for Air and Radiation  
U.S. Environmental Protection Agency  
6101A  
1200 Pennsylvania Ave., NW  
Washington, DC 20460



VIA U.S. MAIL AND FAX (202) 501-0986

Dear Mr. Holmstead:

We are citizen groups based in New Mexico that are actively involved in issues related to the Waste Isolation Pilot Plant (WIPP). Many of the groups have been involved for decades, and several of us were actively involved in EPA's certification of WIPP in 1997 and 1998. We closely follow EPA's work, participate regularly in EPA-related activities regarding WIPP, and will be commenting on the WIPP Recertification Compliance Application (RCA).

We are writing you to express our concerns about forthcoming EPA activities and especially the difficulties that they could pose for effective public participation. We request that you take two actions to alleviate some of those difficulties. We discussed these matters with Betsy Forinash at a meeting in Albuquerque on March 17, 2004.

In the next few days, EPA will announce the beginning of the public comment period on the RCA. As you know, this is a major activity that occurs every five years, and we know that EPA wants to facilitate effective public comment on the RCA.

However, we and other members of the public are very interested in two other major activities that also could occur during the next few months. One is approval of Waste Characterization Programs at transuranic waste sites, under EPA's revised 40 CFR 194.8 procedures. The second is approval of site-specific plans for remote-handled (RH) waste characterization at generator sites, based on EPA's pending decision to approve such procedures. It will be impossible for citizens to participate effectively if public comment processes for those two activities and the RCA run simultaneously. And we believe that it would be difficult for EPA staff to adequately address all the issues with three such major processes at the same time.

Thus, we request that you inform DOE that:

- (1) EPA will not consider Waste Characterization Programs at new generator sites, nor issue Baseline Compliance Decisions for any site during the next year, and
- (2) EPA will not consider approval of any generator site RH waste characterization plans during the next year.

Such an action on your part would ensure that EPA, DOE, and the public focus on the RCA during the next several months. Then, if EPA does recertify WIPP, DOE could submit Waste Characterization Plans for public comment and EPA approval.

040349



We believe that the requested actions are fully within EPA's authority and would greatly facilitate effective public participation in the RCA and site waste characterization plans. In the meantime, generator sites with approved waste characterization plans could continue to ship wastes to WIPP.

Thank you very much for your consideration. We look forward to your prompt response.

Sincerely,

Janet Greenwald  
Citizens for Alternatives to Radioactive Dumping  
202 Harvard, SE  
Albuquerque, NM 87106  
505/266-2663  
505/262-1864 (fax)

Joni Arends  
Concerned Citizens for Nuclear Safety  
107 Cienega  
Santa Fe, NM 87501  
505/986-1973  
505/986-0997 (fax)

Coila Ash  
Creative Commotion: Voices for Social Change  
325 E. Coronado Road #2  
Santa Fe, New Mexico 87505  
505/982-2609

Penelope McMullen  
Loretto Community  
324 Sanchez  
Santa Fe, NM 87505  
505/983-1251

Jay Coghlan/Geoff Petrie  
Nuclear Watch of New Mexico  
551 W. Cordova Rd., # 808  
Santa Fe, NM 87505-4100  
505/989-7342  
505/989-7352 (fax)

Don Hancock  
Southwest Research and Information Center  
PO Box 4524  
Albuquerque, NM 87196-4524  
505/262-1862  
505/262-1864 (fax)