



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



APR 13 2004

Janet Greenwald
Citizens for Alternatives to Radioactive
Dumping
202 Harvard, SE
Albuquerque, NM 87106

OFFICE OF
AIR AND RADIATION



Dear Ms. Greenwald:

Thank you for your March 22, 2004, letter to Assistant Administrator Jeffrey Holmstead regarding effective public communication during the Environmental Protection Agency's (EPA's) upcoming activities related to the Waste Isolation Pilot Plant (WIPP). As you know, we have recently received the first Recertification Compliance Application from the Department of Energy (DOE). The comment period on the application will open in the near future and will remain open until some time after EPA determines that the application is complete. We expect it will take four to six months to determine that the recertification application is complete.

We will undertake a full review of DOE's Recertification Application, for both completeness and technical accuracy, similar to that conducted for the original WIPP Certification Decision in 1997. At the same time, we must also maintain our oversight role of the operating WIPP facility and related DOE sites, since clean-up processes, waste packaging and characterization, and waste shipments will continue during our review.

Your letter requests that EPA refrain from certain site-specific approvals during the next year to ensure that the Agency, DOE, and the public can focus on the recertification process. I want to assure you that we have planned for the events of the coming year and our staff is fully prepared to meet the challenges of recertification while maintaining our ongoing oversight presence in WIPP disposal operations. We do not believe that it is either constructive or necessary to defer, for an arbitrary length of time, approvals for DOE sites that can demonstrate their full readiness to implement technically adequate waste characterization programs.

We recognize, however, that multiple or overlapping comment periods present challenges for your organizations and for other members of the public. We are committed to keep our stakeholders and the public informed about our activities and actions, and will make every effort to provide advance notification of all our activities that include public comment.

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In view of this, I would like to inform you that at this time, we have no plans to undertake a Baseline Compliance Decision (i.e., under the new site approval process expected to be finalized shortly) during the recertification comment period. We also do not expect to evaluate site-specific plans to characterize remote-handled waste in the near future; the Department recently stated that it does not plan to ship remote-handled waste to WIPP before 2006. We do expect to conduct approval inspections under the existing site approval process for the Central Characterization Program at the Los Alamos and Lawrence Livermore National Laboratories over the next several months. We may also conduct inspections for additional waste streams or equipment at previously approved sites. In addition, during recertification EPA may conduct surveillances of DOE programs to prepare for both the Baseline Compliance Decisions and RH evaluations.

We share your interest in encouraging effective communication and well-informed public participation in EPA's recertification process for the WIPP. We will continue to work with your group and others to minimize obstacles to public participation while upholding our regulatory responsibilities. If you have questions concerning this issue, please contact Betsy Forinash at (202) 343-9233.

Sincerely,



Frank Marcinowski, Director
Radiation Protection Division
Office of Radiation and Indoor Air

cc: Steve Zappe, NMED
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WIPP Docket