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RON CURRY
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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 2, 2004

Mr. R. Paul Detwiler, Acting Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
Carlsbad, New Mexico 88221-3090

Dr. Steven Warren, President
Washington TRU Solutions, LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-5608

**RE: FOLLOW-UP TO NMED COMMENTS ON WIPP RCRA GROUNDWATER QUALITY
BASELINE UPDATE REPORT, NOVEMBER 2000
WIPP HAZARDOUS WASTE FACILITY PERMIT
EPA I.D. NUMBER NM4890139088**

Dear Mr. Detwiler and Dr. Warren:

On June 4, 2004, the New Mexico Environment Department (NMED) Hazardous Waste Bureau (HWB) issued a letter to the Department of Energy (DOE) and Westinghouse Waste Isolation Division (the Permittees) containing technical comments on the "WIPP RCRA Background Groundwater Quality Baseline Report and subsequent addendum. In that letter, NMED expressed concern over the manner in which the baseline was determined and directed the Permittees to "recalculate baseline values after averaging duplicates with regular samples per well per sample event."

The Permittees verbally requested an opportunity to discuss these and other topics prior to providing the formal written response requested in the letter. On June 24, 2004, NMED participated in a teleconference with the Permittees and their technical contractors to discuss statistical assumptions used in determining groundwater quality baseline values. Following this discussion, NMED has determined that it is unnecessary for the Permittees to recalculate baseline values pending further NMED evaluation of the requested data. However, NMED continues to expect a formal response to the other items requested in that letter, such as electronic spreadsheets of data collected to date for each detection monitoring well, formulas and assumptions used in all calculations so that NMED can verify the Permittees' results, the data

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values and rationale for their exclusion from baseline calculations, etc. NMED will resume discussions with your staff after we have assessed your response to our request for information.

If you have any questions regarding this matter, please contact Carl Chavez at (505) 428-2518.

Sincerely,



Steve Zappe

WIPP Project Leader

Permits Management Program

cc: James Bearzi, Chief, HWB
John Kieling, Manager, Permits Management Program, HWB
Chuck Noble, NMED OGC
Carl Chavez, HWB
Daniela Bowman, HWB
Laurie King, EPA Region 6
Connie Walker, Trinity Engineering
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