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

OCT 4 2017



Mr. Todd Shrader  
Manager, Carlsbad Field Office  
U.S. Department of Energy  
P.O. Box 3090  
Carlsbad, New Mexico 88221-3090

Dear Mr. Shrader:

On July 14, 2017, the U.S. Environmental Protection Agency issued a *Federal Register* notice (Volume 82, No. 134, pages 32542-46) requesting public comment on its proposal to eliminate the distinction between the characterization of newly generated and retrievably stored waste. The Agency received no public comments on the proposal by the closing of the public comment period

The EPA will not require the U.S. Department of Energy (DOE) to submit Tier 1 change requests for disposal of newly generated transuranic (TRU) soil and solid/sludge wastes. However, these wastes must be characterized using the site-specific EPA-approved TRU waste characterization processes and procedures to demonstrate compliance with the Agency's TRU waste disposal requirements at 40 CFR 194.24. The following actions reflect implementation of this change:

- The October 4, 2017 baseline inspection approval (EPA-HQ-OAR-2017-0231-0003) of the transuranic waste characterization program at the Los Alamos National Laboratory-Central Characterization Program eliminates the above distinction.
- For all other approved sites, the EPA will no longer require the DOE to seek approval specific to newly generated TRU waste.

If you have questions, please have your staff contact Rajani Joglekar (202-343-9462) or Ed Feltcorn (202-343-9422).

Sincerely,

Lee Ann B. Veal  
Director  
Radiation Protection Division



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