

STATE OF NEW MEXICO

ENVIRONMENTAL EVALUATION GROUP

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ENVIRONMENT
 department

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March 4, 1983

RECEIVED
 WIPP PROJECT

Dr. Glen L. Sjoblom
 Director
 Office of Radiation Programs
 ANR 458
 Chrystal Mall #2 216
 U. S. Environmental Protection Agency
 401 M. Street, SW
 Washington, D. C. 20460

MAY 31 1983

INSTITUTIONAL & ENVIRONMENTAL
 ASSESSMENTS

Dear Dr. Sjoblom:

It appears that the planned Waste Isolation Pilot Plant (WIPP) project will not meet EPA's proposed Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes (40CFR191) in the following respects:

1. Subpart B, Section 191.14 (c) requires "...several different types of barriers, to isolate the wastes from the accessible environment. Both engineered and natural barriers shall be included." Present plans for WIPP do not include a leach resistant waste form, a long-lived container, or an engineered backfill for the contact handled transuranic wastes. Sole reliance would be on the geology and hydrogeological characteristics of the site.
2. Subpart B, Section 191.14 (f) states that "Disposal systems shall not be located where there has been mining for resources or where there is a reasonable expectation of exploration for scarce or easily accessible resources in the future... or ...where there is a significant concentration of any material which is not widely available from other sources." Potash is currently mined within 4.4 miles of the center of the site and langbeinite reserves exist on the site within a mile of the proposed waste disposal areas. Langbeinite is a rare and useful potash mineral located in the Carlsbad district, and is one of principal sources of potassium sulfate in the United States. Sylvite resources also exist on site within a mile of the wastes. Natural gas is presently produced 2 1/2 miles from the waste disposal area and some resources exist under the site.

These conditions lead to several questions:



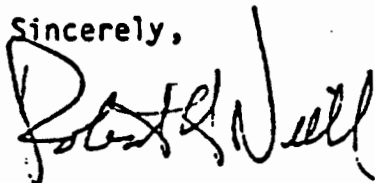
March 7, 1983

- (a) Does WIPP meet your proposed standards in these respects?
- (b) Since DOE is planning on beginning construction in July 1983 prior to the promulgation by EPA of the final rule will your agency require compliance by DOE or will WIPP be exempted from the provisions of the standard?
- (c) Since there are no provisions for a variance from the requirements of Subpart B, has EPA notified DOE that construction may not be warranted?

Our comments on the proposed rule will be sent within a few weeks. However, I would appreciate an early reply to these questions since the decision to construct the WIPP repository is imminent.

Thank you for your consideration.

Sincerely,



Robert H. Neill
Director

RHN:eg

cc: Mr. Daniel Egan