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STATE OF NEW MEXICO

ENVIRONMENTAL EVALUATION GROUP

320 E. Marcy Street
P.O. Box 968
Santa Fe, NM 87503
(505) 827-8280

file WIPP

July 10, 1985

Mr. W. R. Cooper
WIPP Project Manager
WIPP Project Office
U. S. Department of Energy
P. O. Box 3090
Carlsbad, New Mexico 88220

Dear Mr. Cooper:

Thank you for your letter of June 4, 1985 incorporating the WIPP Program Plan for 1985 as Appendix II to the Working Agreement.

Sincerely,

Robert H. Neill
Director

RHN:to

AGOR 31-6





Department of Energy
Albuquerque Operations Office
Waste Isolation Pilot Plant Project Office
P. O. Box 3090
Carlsbad, New Mexico 88221

JUN 4 1985

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JUN - 7 1985
ENVIRONMENTAL
EVALUATION GROUP

Mr. Robert H. Neill, Director
Environmental Evaluation Group
State of New Mexico
P. O. Box 968
Santa Fe, NM 87504-0968

Dear Mr. Neill:

In your letter of April 8, 1985, regarding the text DOE submitted for Appendix II to the Modification to the Working Agreement for Consultation and Cooperation, you expressed your concerns relating to the detail of the descriptions and the timeliness of the availability dates given for the reports on the additional geotechnical studies. Although the DOE submittal for Appendix II fulfills the requirements as stated in the Modification, we agreed to clarify certain points in order to alleviate your concerns.

As mentioned in our April 1, 1985, letter of submittal, EEG has previously been provided with the FY 85 WIPP Program Plan that was prepared by Sandia. The program plan provides the detailed descriptions of the activities and activity schedules involved in Sandia's Task I geotechnical studies, including the additional geotechnical studies required in the Modification. The program plan also indicates activities anticipated beyond FY 85. Program plans for subsequent years will be transmitted to the State as they become available.

It must be noted, however, that the studies as described in program plans are subject to changes in anticipated funding, and, because they are research studies, they are inherently subject to unanticipated results and occurrences which may result in modifications to the planned program. The descriptions of the reports as provided in the text for Appendix II will not be modified unless agreed to by the State.

The availability dates for the reports are realistic dates which take into account the required field activities, data analyses, report preparations, and internal reviews. The reports will be provided in the form of "pre-publication copies," which are copies of the reports as they will be sent to the printers. The contents of the published report will be unchanged. DOE is

Mr. Neill

-2-

providing the pre-publication dates to the State because they are more timely and more controllable than the dates of actual publication.

With these points having been clarified for you, we are incorporating the document sent you on April 1 as Appendix II to the Working Agreement.

Please contact me if you have any further concerns or questions on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'W.R. Cooper', with a large, stylized flourish at the end.

W.R. Cooper
Project Manager

WIPP:RAC 85:128

cc:
C&C File
Dick Coleman, TSC
Peter Speigler, EEG



April 8, 1985

"Equal Opportunity Employer"

STATE OF NEW MEXICO

ENVIRONMENTAL EVALUATION GROUP

320 E. Mercy Street
P.O. Box 968
Santa Fe, NM 87503
(505) 827-8280

Mr. W. R. Cooper
WIPP Project Manager
WIPP Project Office
U. S. Department of Energy
P.O. Box 3090
Carlsbad, NM 88220

Dear Mr. Cooper:

Thank you for sending a draft text of Appendix II to the Modification to the Working Agreement for Consultation and Cooperation. We find that this text does not describe the scope of each study in sufficient detail and the completion dates are such that not much time will be left for any subsequent work which may become necessary as a result of scheduled studies, before the arrival of the first shipment of waste.

Some background may be helpful to put this matter in proper perspective. As a result of our evaluation of the WIPP site characterization work, we suggested in April 1983 that these studies be carried out. Our suggestion was immediately accepted by DOE but not much discernible progress was made for one and a half years. For this reason the State proposed to include this program in the C and C Agreement.

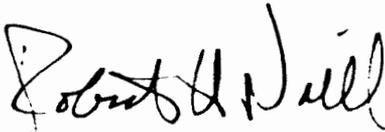
The draft Appendix II sent by you does not contain "a detailed description of the scope of each" as required by the Agreement (p. 11). Such descriptions do exist, however, in the "WIPP Program Plan for FY 85" prepared by Sandia labs and forwarded to us by Arlen Hunt last week. These need to be incorporated in your proposed Appendix II. As further help in understanding our request, you may wish to review the "Costs and Merits Evaluation" documents which were prepared by DOE in 1981 following the agreement to conduct additional geotechnical studies as part of the 1981 Stipulated Agreement.

We are therefore not accepting the Appendix II as submitted by you at this time and request that you resubmit it after.

Mr. W. R. Cooper
Page 2
April 8, 1985

1. Incorporating a detailed description of the scope of each, and
2. Rechecking the schedule to advance the dates of completion of the reports for the reasons cited above.

Sincerely,



Robert H. Neill
Director

RHN/cmp

AGOR 31-6

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cc: Peter Spiegler