



"Equal Opportunity Employer"

ENTRANCE

STATE OF NEW MEXICO

ENVIRONMENTAL EVALUATION GROUP

320 E. MARCY STREET

PO BOX 968

SANTA FE, NEW MEXICO 87503

(505) 827-8280

July 9, 1986

Mr. Sheldon Meyers, Director
Office of Radiation Programs (ANR-458)
U. S. Environmental Protection Agency
401 M. Street SW
Washington, D.C. 20460

Dear Mr. Meyers.

The WIPP Project Office, Department of Energy has informed us that they may not be able to complete their demonstration of compliance with the EPA Environmental Standards for the Disposal of Transuranic and High Level Waste (40 CFR 191) until some time after the wastes are scheduled to be emplaced, beginning October, 1988. While the EPA standard was promulgated in July 1985, the Department has neither published their plans to demonstrate compliance nor has developed an internally approved schedule.

Although the mission of WIPP is a research and development facility for the disposal of defense waste, the only experiment with defense CH and RH TRU waste is the actual emplacement in a production mode for five years and a determination at the end of that time whether to retrieve or not.

DOE has informally told us that WIPP will not be a repository until a decision is made not to retrieve the waste in 1993. Hence the Research and Development phase will emplace 25% of the total waste.

Our specific questions follow:

- 1) Would EPA concur in DOE's plans to emplace TRU Waste for a period up to 5 years in WIPP prior to completing the performance assessment?
- 2) Will EPA make a formal determination of the adequacy of DOE's performance assessment at any point in time?

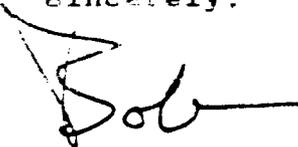
860702



Mr. Sheldon Meyers
Environmental Protection Agency
July 9, 1986
Page 2

- 3) Was it EPA's intention in 40CFR191 to allow DOE to emplace TRU or HLW in a repository without demonstrating compliance until the decision is made whether to retrieve?

Sincerely,



Robert H. Neill
Director

RHN/dkw

cc: Mr. W. R. Cooper,
WIPP Project Manager