

BILL RICHARDSON
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ENTERED

WASHINGTON OFFICE:
332 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6190

DISTRICT OFFICES:
SANTA FE:
U.S. COURTHOUSE B 26
SOUTH FEDERAL PLACE
SANTA FE, NM 87501
(505) 988-6177

GALLUP:
GALLUP CITY HALL
SECOND AND AZTEC
GALLUP, NM 87301
(505) 722-6522

LAS VEGAS:
SAN MIGUEL COUNTY COURTHOUSE
P.O. BOX 1805
LAS VEGAS, NM 87701
(505) 425-7270

BELEN:
HARVEY HOUSE
104 NORTH FIRST ST.
BELEN, NM 87002
(505) 864-1419

Congress of the United States

House of Representatives

Washington, DC 20515

September 7, 1988

Ms. Susan Fry
Director
N.M. Environmental Improv. Div
P.O. Box 968
Santa Fe, NM 87504-0968

Dear Ms. Fry:

There has recently been a great amount of news concerning the Waste Isolation Pilot Plant (WIPP). In advance of two Congressional hearings to be held here in Washington on September 8th, I would like to take this opportunity to bring you up to date on the most recent developments.

Since the beginning of our nation's nuclear weapons program, there has been no site for the permanent disposal of plutonium-contaminated waste from nuclear weapons plants. Initiated by Congress in 1976 and authorized for funding in 1980, WIPP is to be the Department of Energy's (DOE) first permanent disposal site for these wastes. The 1980 authorizing legislation makes specific reference to a site in southeastern New Mexico. Since being elected to Congress in 1982 I have focused my energy on responding to the valid concerns of New Mexico's residents and making certain that WIPP is as safe as possible.

The land chosen for the WIPP site, 26 miles southeast of Carlsbad has been under the jurisdiction of the Bureau of Land Management. Construction on the WIPP project, started in 1981 and is now almost complete. WIPP has not been scheduled to receive nuclear waste until the land it occupies is permanently transferred from the Bureau of Land Management to the DOE.

Legislation to transfer the land, known as the WIPP land withdrawal bill, has been introduced by Representatives Joe Skeen and Manuel Lujan in the House and Senators Jeff Bingaman and Pete Domenici in the Senate. Out of my concern the safety of the WIPP program I put forth a package of amendments to the Skeen bill (H.R. 2504) in order to ensure the greatest protection of the health and safety of New Mexicans.

On July 13th, the Committee on Interior and Insular Affairs took up consideration of the WIPP legislation, accepting all of my proposals to improve the original proposal. While the original bill did not require compliance with EPA standards, I included a provision that ensures that no nuclear waste is brought to WIPP until the Environmental Protection Agency certifies that WIPP complies with the EPA standards for the disposal of nuclear waste.

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The original bill had no requirement to examine the brine seepage problem at the WIPP suite. I put in language which requires testing. Under the original proposal DOE could have conducted experiments on storing high level nuclear wastes, something prohibited by my amendments to the bill.

While there is no question that WIPP will affect the entire state as waste laden trucks head for the WIPP site, the original bill did not require emergency response training, provided little impact assistance for the communities most affected, and provided no assurances that the roads over which the waste will be hauled could safely handle the extra traffic. My amendments added \$200 million for the Santa Fe Bypass and road improvements, and provide emergency response training and impact assistance payments to the state and local governments.

My amendments also address the plan to transport waste from Los Alamos along Saint Francis Drive in Santa Fe. They prohibit waste from coming through Santa Fe until the funds for the Los Alamos bypass are appropriated. This is consistent with the resolution recently passed by the Santa Fe City Council and will provide time for the Santa Fe bypass to be built before waste is shipped from Los Alamos.

It is my intent to respond to the valid concerns of the people of New Mexico who are justifiably questioning the Department of Energy's operation plans for the WIPP facility. The Federal government must provide every possible assurance to New Mexico that WIPP will be as safe as possible. I will do everything in my power to make sure that obligation is met.

Thank you for the opportunity to keep you informed about WIPP. Please contact me if I can be of further assistance.

With warm regards,



BILL RICHARDSON
Member of Congress

BR/rs