



# ENVIRONMENTAL EVALUATION GROUP

EX-100

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

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May 18, 1990

Mr. Arlen Hunt  
Acting Project Manager  
WIPP Project Office  
U. S. Department of Energy  
P. O. Box 3090  
Carlsbad, New Mexico 88221

Handwritten notes on the right margin, including the name "Arlen Hunt" and other illegible markings.

Dear Mr. Hunt:

Thank you for sending a copy of Revision 3 (4/20/90) of the Draft Decision Plan which we received with your 5/11/90 cover letter, on May 14. This is an improvement over transmittals of the previous revisions and we hope that in the future you will further reduce the time between issuance of documents and their transmission to us. We have also received your 4/23/90 responses to our 3/23/90 comments on Revision 2 of the Draft Decision Plan. The following are our comments on Revision 3, that include references to your 4/23/90 correspondence where appropriate. As before, the comments are arranged in the order of the Decision Plan line items.

As a general comment, your 5/11/90 letter mentions the "Land Withdrawal" and the "No-Migration Variance Petition" as examples of prerequisites for WIPP's readiness to receive waste. In our opinion, equally important prerequisites where work should be concentrated include the readiness of the Continuous Air Monitors, Radiation Safety Program, Exhaust Stack Monitoring, Radiation Survey Equipment, Dosimetry Program, Contamination control, Alcove Seals to measure gas, Bin Leachate Sampling, preparation of Waste at INEL and RFP, Waste Characterization, Waste Certification, and Safety Analysis of the Test Phase Activities. These items are under your control and progress has been very slow in these areas. Item by item comments follow:

### Secretary's Decision Plan

Out of the items listed as "Expected to be complete before June 15," it does not appear that the Final Safety Analysis Report (FSAR) will be complete. EEG believes the safety analysis of the activities planned for the test phase, currently planned as an



addendum to FSAR, should be included as part of the Final SAR. The administrative mechanism of separating the safety analysis of the planned activities as an "addendum" is acceptable to EEG provided it is not claimed that the Final SAR has been completed.

#### Preoperational Appraisal/ORR/RRI

This schedule appears unrealistically optimistic from our understanding at the site and we bring this serious matter to your attention.

We strongly disagree with the statement in your 4/23/90 letter that your 7/11/89 and 12/28/89 letters contain responses to the EEG comments on Preoperational Appraisal and therefore the "milestone" for ORR review has been satisfied. It has not. Rather than include all the specifics in this letter, a separate letter will be transmitted to you early next week.

#### Panel 1 Alcove Mining and Outfitting

Suggest adding a decision point, "Resolution of Operational Problems" in this line. A number of operational problems, such as seals, pressure retention, sensitivity of gas chromatography, availability of prepared waste, etc. should be resolved before beginning mining of alcoves.

#### SEIS

We have not yet received a response to our April 4, 1990 letter on SEIS to you.

#### FSAR

We do not consider the Safety Analysis Report to be "final" until the safety of the facility from activities during the test phase has been analyzed. Since you plan to publish this most essential analysis as an "addendum," the "DOE FSAR Approval" milestone shown for the end of May, 1990 is not a meaningful milestone. A detailed letter on FSAR is being separately provided to you as discussed at our 5/11/90 meeting with you.

#### Waste Characterization

The draft Program Plan was received by us on May 14. We will provide comments on it in the next few weeks.

#### OD Plan

The date shown for the Secretary's decision has passed.

## 40 CFR 191 Compliance Status Report

Since your expectation from this report is that it will provide a reasonable confidence of WIPP meeting the 40 CFR 191 standards, we hope that the report will contain an analysis of the rate and quantity of gas generation that is acceptable for compliance with the standards, without engineered modifications as well as the expected quantities of gas and brine rates. It is important to have this analysis to justify the need to better define the gas generation rates.

### PA Plan

Your 4/23/90 response to our comment is not satisfactory. The safety aspects of performing the Bin and Alcove tests have not been openly discussed with us. We stumbled upon the existence of potential problems with leachate sampling at WIPP during the last Quarterly meeting in Carlsbad when a viewgraph on Integrated Systems Checkout used the expression, "dry bin test program." The information had to be obtained by a series of questions and was not volunteered. Please provide the status of resolution of the operational, health and safety and regulatory problems associated with the Bin and Alcove tests planning.

### Engineered Alternatives

We are confused about the 2/28/91 milestone "Final recommendation for waste form and/or Repository Design." Will the final recommendation

1. identify the different waste forms to be tested in phase 3 of the Bin tests, or
2. specify necessary waste form modifications in order that the repository can comply with 40 CFR 191 ?

At the Senate Energy and Natural Resources Committee Hearings on the WIPP Decision Plan, on April 3, 1990, Mr. Leo Duffy stated that it would take 3 to 5 years for a decision on waste-form modifications. Please explain the chronological process for reaching this decision and the contributions of the EATF recommendations, phase 3 Bin-tests, Alcove tests and Sandia's performance assessment, in this process.

### Retrievability Program Plan

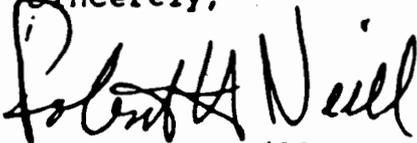
Our March 19, 1990 letter pointed out that the Retrievability Plan is incomplete and your 4/19/90 response confirms this

observation and admits that various key decisions are yet to be made. The early May date for issuing the final plan is therefore incorrect.

Potash Leases

Have the potash leases been acquired by DOE to obtain clear title to the land?

Sincerely,

A handwritten signature in black ink, appearing to read "Robert H. Neill". The signature is written in a cursive style with a large initial "R".

Robert H. Neill  
Director

RHN:LC:lsb

cc: Mr. L. Duffy, DOE-HQ  
Ms. J. Lytle, DOE-HQ  
Mr. J. Bickel, DOE-ALO