



## ENVIRONMENTAL EVALUATION GROUP



AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

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February 5, 1991

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

Dear Mr. Hunt:

Enclosed is our review of your September 19, 1990 letter concerning the adequacy of radiological safety at the WIPP site. Your letter was a compilation of responses to EEG letters dated November 7, 1989, November 20, 1989, May 22, 1990, our RRI Report comments (also May 22, 1990), and your letter commitments of December 28, 1989.

Our review indicates less than half of your 62 responses were complete, about 18% of your responses were incomplete, and 37% of the replies included no substantive information (see Addendum 1 and 2). Some of the responses we consider complete indicate potential DOE regulatory violations or the need for additional oversight inspection. Our letters also indicate failure to respond even after some requests are repeated several times. We interpret the failure to respond adequately as indicative of programmatic deficiencies.

The following topical discussions summarize EEG's reaction to details you have provided of the radiation safety program.

### Staffing and Training

Staffing and training were DOE audit concerns, and they remain EEG concerns. The success of any program is directly dependent upon adequate staffing. Your radiation safety program has never been fully staffed, and two key professional staff were recently lost. The adequacy of the HP technician staff training is in doubt. We have not received the promised formal briefing on the training program, and the HP technicians appear to have little, if any, operational monitoring experience.



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It is strongly recommended that professional health physicists with appropriate advanced degrees and operational health physics experience be employed to fill leadership vacancies in your program. Health physicists must have experience with transuranic radionuclides, and it would be advantageous to have familiarity with the Nuclear Regulatory Commission inspection and compliance process. We expect that the Radiation Safety Programs Director position will be filled by a person with appropriate credentials and that he will be given authority as described in previous correspondence. We also recommend that the radiation safety programs not be commingled with operational safety.

We can not conclude that your radiation safety program is operationally ready unless it is properly staffed.

#### Policy

The objective of our previous requests for formal policy information was to encourage WPO to define the radiation safety administrative program. Some of your responses were excellent, such as the external dosimetry program. Other responses were poor to non-existent, such as air monitoring, contamination control, ventilation balancing, auditing, and facility use policy. Until you document the administrative basis and programmatic commitments, we will consider your radiation safety program deficient.

#### Audits

We have viewed your audit programs carefully. We observed the on-site inspections in March and May 1989. It appeared that the initial on-site inspection process was reasonable, but we were excluded from most follow-up visits. The policy of selectively allowing EEG attendance at audit meetings and not routinely providing copies of inspection correspondence has hampered our audit review process. We are still not sure of your definition of "closed" audit finding. Although you have promised to invite us to future audits and follow-ups, this commitment needs to bear the test of time. We are still not receiving correspondence from WPO about the audit closures. We are requesting copies of all audit inspection criteria prior to the Integrated Systems Checkout (ISC).

DOE claimed credit for numerous audits and inspections the past two years, even though the type and scope of these reviews were highly variable. While they include the Blue Ribbon Panel, EH inspections, Albuquerque Operations Office inspections, and other

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groups, it was not clear that any central responsible regulatory authority existed within the DOE.

Since DOE has the authority to self-regulate in the area of health and safety, we recommend that there be a singular regulatory authority within DOE. WPO must be held strictly accountable by that organization for regulatory compliance.

No particular branch of DOE appears to be responsible for interpretation of DOE regulations. If some organization has that responsibility, then we would like to meet with them to discuss inspection criteria and regulatory compliance. Compliance questions were posed in our December 5, 1990 letter on effluent monitoring. We need a definitive and authoritative response.

It is important that we know who will give final "licensing" approval, or make the operational readiness decision for WIPP.

We are still under the impression that final operational readiness approval will require a successful ISC. We are expecting the ISC to be comprehensive. We believe that the last comprehensive audit occurred in May of 1989. We recommend that WIPP not be declared operationally ready until a comprehensive, up-to-date audit process is completed. Unless we can determine the DOE regulatory authority, adequacy of inspection criteria, adequacy of the resolution of audit findings, and have an "open" inspection process, we will consider the DOE audit process to be deficient.

#### Other Topics

We believe the ALARA program is inadequate. The WPO radiation safety staff do not appear to be intimately involved in the operational decision making process. This concern is exacerbated by the lack of qualified and experienced health physics and radiological engineering professionals. Problems such as a poor TRUPACT dock hood design (reference our letter December 20, 1990) are symptomatic of our perception of WIPP's inadequate ALARA program and poor radiological engineering.

#### Conclusions

We believe that your overall responsiveness to EEG is inadequate. WPO has made commitments to modify procedures, produce policy documents, and commit to briefings, and many of these commitments remain uninitiated or incomplete. Your

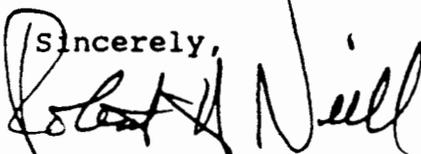
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September 19, 1990 letter is a prime example of lack of response.

We recognize your desire to declare WIPP operationally ready, but technical review of your programs can not be completed without appropriate information. Unless we receive the information, we cannot conclude that the radiation safety program is operationally prepared.

Even though we classified many of your responses as complete, this does not mean the issues are closed. To the contrary, information provided indicates some issues are potential DOE regulatory violations. All our responses should be examined carefully.

If you have questions regarding this correspondence, please direct it to Dr. William Bartlett, EEG Health Physicist.

Sincerely,  
  
Robert H. Neill  
Director

WTB:ss

Enclosures:

Addendum 1 - Radiological Safety Review Graph  
Addendum 2 - Categorical Summary of DOE Responses  
Attachment 1 - Responses to EEG Ltr May 22, 1990  
Attachment 2 - Responses to Operational Issues  
Attachment 3 - Responses to RRI Report

cc: Mark Frei, WIPP Task Force  
James Bickel, DOE  
Jill Lytle, DOE