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The Secretary of Energy  
Washington, DC 20585

February 4, 1992

The Honorable Bruce King  
Governor of New Mexico  
Santa Fe, New Mexico 87503

Dear Governor King:

With the President's recent decisions on downsizing the nuclear weapons complex, including a change in the mission of the Rocky Flats Plant, it would appear that the immediate emphasis of opening the Waste Isolation Pilot Plant (WIPP) must be reassessed. Waste generation at the production facilities is now projected to be much reduced over previous projections. Nonetheless, from the perspective of environmental cleanup, the Department of Energy (DOE) is still committed to dispose in WIPP of the transuranic (TRU) waste currently stored in Idaho, Colorado, Washington, South Carolina, Tennessee, and other States. We believe a greater level of confidence and long-term environmental protection are provided with mined geologic disposal (such as WIPP) compared to continued above-ground storage.

The adverse ruling yesterday in U.S. District Court was, in part, based on the issue of Resource Conservation and Recovery Act (RCRA) interim status. This ruling does not appear consistent with the August 27, 1990, letter from the New Mexico Health and Environment Department to DOE and the August 20, 1991, letter from Region VI of the Environmental Protection Agency to the New Mexico Environment Department. Yesterday's ruling continues the unconscionable delay of the WIPP Test Phase. It delays the gathering of scientific data essential to a future determination of the WIPP's suitability for disposal of the TRU waste already existing and to be produced as a result of the President's recent policy decisions.

Therefore, I am seeking the support of Congress to enact legislation and your support, through appropriate State legislative and/or regulatory action, to allow this important national initiative to move forward. To further delay the Test Phase will not allow DOE to resolve the growing waste storage problems at other DOE installations across this Nation. If legislation cannot be enacted to allow the Test Phase to proceed, I will be forced to pursue the only other option available to me -- namely, litigation, which could be protracted even if conducted expeditiously.

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Facing the prospect of protracted litigation, I need to reevaluate our current approach of maintaining WIPP in a state of readiness to receive waste. I must start the planning process to downsize the WIPP effort if the necessary relief from Congress and New Mexico is not in hand around the June 1992 timeframe. This action would result in initial reductions in the June to December 1992 timeframe to put the facility in a stable shutdown configuration with only minimal manpower support. While I realize this appears imprudent based on the state of facility readiness attained last year, as well as the critical need to move forward with testing, such a decision is prudent from a fiscal perspective, since we currently expending about \$14 million a month on WIPP. I will keep you informed as we move through this planning process and pledge to work with you to ensure community impacts are minimized to the extent possible.

I look to your assistance in providing the necessary action to allow this important National program to move forward.

Sincerely,

*James D. Watkins*  
James D. Watkins  
Admiral, U.S. Navy (Retired)



Attachment 1

SUMMARY OF PROJECTED IMPACTS FROM WIPP DELAY SCENARIOS

Scenario	Impact	Length of Delay Beginning April 1, 1992				
		6 Months	1 Year	18 Months	2 Years	> 2 Years
0. Minimal Neediness	Labor (FTE) Contractor Federal Delay Savings (\$M) Restart Time Program Costs (\$M)	1375 60 50 None \$ 250	1375 60 50 None \$ 170	1375 60 50 None \$ 250	1375 60 50 None \$ 300	1375 60 50 None \$ 1400 /Month
1. Minimal Impact	Labor (FTE) Contractor Federal Delay Savings (\$M) Restart Time Program Costs (\$M)	200 RIF 4 RIF \$ 5 8 Months \$ 100	300 RIF 6 RIF \$ 15 10 Months \$ 170	200 RIF 4 RIF \$ 5 8 Months \$ 250	200 RIF 4 RIF \$ 5 21 Months \$ 300	200 RIF 4 RIF \$ 5 24 Months \$ 600 /Month
2. Moderate Impact	Labor (FTE) Contractor Federal Delay Savings (\$M) Restart Time Program Costs (\$M)	400 RIF 15 RIF \$ 10 18 Months \$ 340	400 RIF 15 RIF \$ 30 21 Months \$ 470	400 RIF 15 RIF \$ 50 24 Months \$ 600	400 RIF 15 RIF \$ 70 30 Months \$ 680	400 RIF 15 RIF \$ 20 /Month 33 Months \$ 140 /Month
3. Significant Impact	Labor (FTE) Contractor Federal Delay Savings (\$M) Restart Time Program Costs (\$M)	600 RIF 22 RIF \$ 35 30 Months \$ 610	600 RIF 22 RIF \$ 45 33 Months \$ 640	600 RIF 22 RIF \$ 75 38 Months \$ 770	600 RIF 22 RIF \$ 100 40 Months \$ 850	600 RIF 22 RIF \$ 5 /Month 44 Months \$ 140 /Month
4. Severe Impact	Labor (FTE) Contractor Federal Delay Savings (\$M) Restart Time Program Costs (\$M)	1200 RIF 45 RIF \$ 30 39 Months \$ 600	1200 RIF 45 RIF \$ 90 40 Months \$ 700	1200 RIF 45 RIF \$ 150 42 Months \$ 800	1200 RIF 45 RIF \$ 210 45 Months \$ 900	1200 RIF 45 RIF \$ 10 /Month 48 Months \$ 140 /Month



## Attachment 2

## PRELIMINARY ANALYSIS OF WIPP DELAY SCENARIOS

A total of 20 cases were examined as part of the preliminary analysis of impacts from delays in the start of the WIPP Test Phase. Four scenarios for each of the five delay cases were examined. These cases were compared with a base case, in which readiness is maintained consistent with the current project baseline. The current baseline includes:

- Environment, safety and health (ES&H) and safeguards/security (S&S) functions performed in compliance with DOE Orders;
- Readiness to receive waste bins maintained;
- Continued waste characterization and bin loading at the Idaho National Engineering Laboratory (INEL) and initiated waste characterization and bin loading at the Rocky Flats Plant (RFP) as quickly as possible;
- Completion of post-start action items from recent readiness reviews;
- Continued critical test program activities, including planning and initiation of wet bin and solubility/leachate tests;
- Continued follow-on critical nonradwaste tests and performance assessment (PA) activities, consistent with commitments made to the National Academy of Sciences; and
- Continued integration and institutional support activities.

Table 1 summarizes the assumptions for the scenarios considered. The current baseline is the maintain readiness scenario (Scenario 0). The other scenarios assume loss of readiness and a progressive reduction of work scope to a mothballed facility. These include:

- Minor Impact (Scenario 1);
- Moderate Impact (Scenario 2);
- Significant Impact (Scenario 3); and
- Severe Impact (Scenario 4).

For each scenario, five respective delay cases were considered. Based on implementation of a new course of action in April 1992, the delays correspond to a decision to regain readiness and proceed with waste shipments in October 1992 (6-month delay), April 1993 (1-year delay), October 1993 (18-month delay) April 1994 (2-year delay), and well after April 1994.

For each case, reductions in force, cost savings, program cost increases, and the restart time were estimated. Reductions in force for both Federal and contractor staff were estimated based on the scenario assumptions and the current project baseline. Cost savings in the near term were estimated based on the reductions in force and the delay period.

Life cycle cost impacts increase significantly from the additional project delays. The life cycle cost impact is the difference between the program cost increase and the near-term cost savings.

Restart times were calculated based on the reduction in force and the delay period. The combination of restart time and the delay determines the resulting start of the waste testing at WIPP. Restart time includes the time required between the decision to regain readiness and the readiness date. The

restart period includes time for hiring/training, procedure revision, requalification/certification, internal and external operational readiness reviews, and completion of all pre-start corrective actions. The delay and restart times directly impact a disposal decision date. Additional delays to the disposal decision will result from the loss of performance assessment continuity.

Table 2 presents the detailed results of the manpower analysis for each scenario under consideration.



TABLE 1  
SUMMARY OF WIPP DELAY SCENARIO ASSUMPTIONS

Delay Scenario

Assumption	0	1	2	3	4
Environment, safety, and health and security/safeguards functions in compliance with DOE Orders	Yes	Yes	Yes	Yes	Yes
Readiness to receive waste bins	Yes	No	No	No	No
Continue waste characterization (dry bin loading) at Idaho and initiate at Rocky Flats	Yes	Yes	Yes	No	No
Complete recent readiness review post-start items and continue strategic planning	Yes	Yes	Yes	Yes	No
Wet bin and solubility/leachate test planning and implementation	Yes	Yes	Yes	No	No
Performance assessment modeling	Yes	Yes	No	No	No
Other performance assessment activities	Yes	Yes	No	No	No
WIPP site data collection	Yes	Yes	Yes	No	No
Solubility/retardation and long-term leaching tests	Yes	Yes	Yes	Yes	No
Other critical nonradwaste tests	Yes	No	No	No	No
Continue integration and institutional support	Yes	Yes	Yes	Yes	No
Maintain underground facilities in current state	Yes	Yes	No	No	No
Allow backfill of experimental area rooms as appropriate, maintaining panel 1 and access and ventilation areas and shafts	N/A	N/A	Yes	Yes	No
Underground openings maintained at minimum level to allow restart of tests	N/A	N/A	N/A	N/A	Yes
Maintain facilities at WIPP with skeletal support	N/A	N/A	N/A	N/A	Yes

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MONTHLY DELAY IMPACTS  
10/92

FUNCTION/ORGANIZATION	SCENARIO #1		SCENARIO #2		SCENARIO #3		SCENARIO #4	
	BASE MANPOWER	REMAINING RIF MANPOWER	BASE MANPOWER	REMAINING RIF MANPOWER	BASE MANPOWER	REMAINING RIF MANPOWER	BASE MANPOWER	REMAINING RIF MANPOWER
<b>Site and Carlisland:</b>								
Engineers	179	17	36	143	37	142	129	59
Technicians/Operators	316	34	54	280	34	280	265	69
Administrative	191	32	39	156	40	153	148	43
Test program staff	69	14	34	26	34	26	60	9
Waste handling staff	27	27	27	0	27	0	27	0
Transportation	32	19	19	13	19	13	32	0
Min prep activities	19	8	8	11	19	0	19	0
Temporaries	56	27	56	0	56	0	56	0
<b>Subtotal</b>	<b>888</b>	<b>178</b>	<b>253</b>	<b>627</b>	<b>268</b>	<b>616</b>	<b>786</b>	<b>164</b>
<b>Albuquerque:</b>								
Subcontractors	68	0	20	48	32	36	68	0
Contractors	5	0	3	2	3	2	5	0
Subcontractors	23	0	13	10	13	10	23	0
Contractors	7	0	6	7	7	0	7	0
<b>Subtotal Carlisland</b>	<b>103</b>	<b>178</b>	<b>209</b>	<b>694</b>	<b>511</b>	<b>682</b>	<b>819</b>	<b>164</b>
<b>Albuquerque:</b>								
Subcontractors	5	5	3	2	5	0	5	0
Contractors	76	0	43	33	44	32	76	0
Subcontractors	61	5	34	27	35	26	61	0
Contractors	15	0	0	15	7	0	15	0
Contractors	5	0	6	5	3	2	5	0
<b>Subtotal Albuquerque</b>	<b>162</b>	<b>50</b>	<b>89</b>	<b>82</b>	<b>96</b>	<b>68</b>	<b>162</b>	<b>0</b>



POTENTIAL DELAY IMPACTS  
1/10/92

LOCATION/Organization	SCENARIO #1		SCENARIO #2		SCENARIO #3		SCENARIO #4	
	BASE NUMBER	REMAINING RIF MANPOWER	RIF	REMAINING MANPOWER	RIF	REMAINING MANPOWER	RIF	REMAINING MANPOWER
Other New Mexico (Hobbs, Los Alamos, Etc.) MID Subcontractors	3	0	3	0	3	0	3	0
Subtotal Other NM	3	0	3	0	3	0	3	0
Subtotal New Mexico	1148	988	988	779	418	730	984	164
Other States:								
MID Subcontractors Colorado	65	5	60	12	36	35	65	0
REP - EG&G Bin Prep Idaho	37	0	37	0	37	0	37	0
EG&G - Bin Prep	33	0	33	0	33	0	33	0
ANL-W - Bin Prep	38	0	38	3	36	0	38	0
Subtotal Idaho	71	0	71	0	71	0	71	0
Illinois ANL-E - Analytical Lab Other States	7	0	7	0	7	0	7	0
SNL Subcontractors	48	3	45	27	28	20	48	0
Subtotal Other States	228	8	220	39	173	55	228	0
TOTAL CONTRACTORS	1376	196	1180	408	591	785	1212	164
TOTAL FEDERAL	60	5	55	15	30	30	45	15
GRAND TOTAL	1436	201	1235	423	621	815	1257	179