



Department of Energy

Carlsbad Area Office
P.O. Box 3090
Carlsbad, New Mexico 88221

FEB 14 1994

OFFICE OF...

Ms. Judith Espinosa, Secretary
New Mexico Environment Department
1190 St. Francis Dr.
P.O. Box 26110
Santa Fe, NM 87502

Dear Ms. Espinosa:

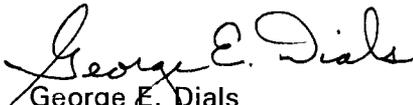
In recent discussions, it has been suggested that there exists some confusion and/or concern about the Department of Energy's (DOE) intentions concerning waste disposal at the Waste Isolation Pilot Plant (WIPP) during the Resource Conservation and Recovery Act (RCRA) Part B permitting process. I want to clarify for you that the DOE has no plans or intentions of disposing of any wastes (neither hazardous, radioactive nor mixed) in the WIPP prior to the receipt of a RCRA Part B Disposal Phase permit.

All aspects of our waste disposal plans and intentions would necessarily be divulged during the continuation of the RCRA Part B permitting process that I requested in my letter to the New Mexico Environment Department (NMED) of January 13, 1994. Furthermore, our plans, intentions and approach to the disposal phase operations would be fully addressed by all interested parties (e.g. stakeholders) during the open permit review procedures that I suggested during our meeting with NMED on January 28, 1994 in Santa Fe.

I am certain that we will be able to openly and fully discuss all aspects of the disposal phase operation of the WIPP in the context of the RCRA Part B permit modification process. I remain convinced that that approach, which retains the New Mexico Environment Department in full control of the permitting process and is well within the discretionary authority of the Secretary, is in the best interests of all parties concerned.

I am hopeful that you will favorably consider my January 13th letter and request that we modify the RCRA Part B permit application. We are eager to begin the permit modification efforts and stakeholder interaction meetings in a formally planned and scheduled manner. Please contact me if you have questions or require additional information concerning DOE's position on these matters. I will be pleased to meet with you and other stakeholders for further discussions on these issues at a mutually convenient location and time.

Yours truly,


George E. Dials
Manager
Carlsbad Area Office

940202

