



Department of Energy

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

JAN 16 1996



Mr. Benito Garcia
New Mexico Environmental Department
Hazardous & Radioactive Materials Bureau
P.O. Box 26110
Santa Fe, NM 87502

Dear Mr. Garcia:

This letter transmits our final responses to your Requests for Information received during the month of November 1995 on the Resource Conservation and Recovery Act Part B permit application.

I am pleased to document that we have met the milestones identified in our submittal provided to you and dated December 6, 1995. All responses to your requests in November 1995 were provided to both you and your technical contractor during December 1995. I appreciate your meeting with us to further discuss your requests and our responses. I understand this is a normal activity afforded all permit applicants. Having been present during a portion of the meetings, I observed extremely open dialogue and exchange of information, for which both our teams should be commended. I also recognize the effort your contractors and staff expended in performing a very detailed technical review of our application, which culminated in numerous areas for which you requested the additional information.

We believe our previous responses along with this submittal have met the regulatory requirements as set forth in 20 NMAC 4.1. The following additional detail requested at our most recent meeting will be provided to you in Revision 6 of the RCRA Permit application:

- providing the functional position descriptions of waste handling personnel which include all training requirements for these positions,
- expanding the risk analysis to include evaluation of health impacts of unlikely or incredible events with respect to Volatile Organic Compound emissions, and
- identification of the sleeve materials used for the coring devices used in solidified waste sampling.

I believe the schedule that you developed and attached to your letter dated December 8, 1996, for activities associated with the development of the draft



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permit is conservative. My basis for this belief involves several observations. First, the level of detail provided in your request for additional information indicates a very thorough review was completed for both technical adequacy and regulatory consistency. Second, our responses to your requests were complete and met regulatory requirements. Finally, the meetings held to discuss both the generalized NMED comments as well as those meetings discussed above ensured our understanding of your concerns so that we could modify our application to address any outstanding areas. With this in mind, it appears additional technical review should be very minor and could be accomplished promptly. The development of the draft permit could then also be completed expeditiously.

I believe our working relationship has been excellent and will continue to be so in the coming months of permit development. We are grateful for you and your staff's efforts, which will one day culminate in the opening of WIPP, thereby solving a national problem.

If you have any questions, please do not hesitate to contact me at (505) 234-7486 or Craig Snider at (505) 234-7452.



Michael H. McFadden
Assistant Manager
Office of Regulatory Compliance

Enclosure

cc w/enclosure:

C. Walker, AT Kearney

cc w/out enclosure:

G. Dials, CAO

J. Mewhinney, CAO

C. Snider, CAO

J. Epstein, WID