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EPA WIPP Mailing List Members:

NM ENVIRONMENT DEPARTMENT  
OFFICE OF THE SECRETARY

As part of EPA's continuing efforts to keep you informed and involved in the Agency's WIPP program activities, we have enclosed a copy of "EPA's WIPP Communications Plan" developed by the staff of the Office of Radiation and Indoor Air.

This plan describes how the EPA presently -- and into the future -- communicates with you and other interested parties, concerning EPA's activities at the WIPP. EPA is committed to developing and maintaining an open communications and consultation process, as it fulfills its WIPP regulatory responsibilities. Developing booklets, fact sheets, and other written informational materials, disseminating information through mailings, conducting public hearings, and establishing EPA's WIPP Information Line, are all part of this commitment.

As part of this process, we wish to expand opportunities for you to learn about, and participate in our WIPP activities. Your ideas and opinions are important to us. If you have any suggestions or recommendations for improving our WIPP Communications Program or questions about EPA's role in WIPP activities, please write or call me directly at (202) 233-9677. Or, call our toll-free WIPP Information Line, 1-800-331-WIPP and leave your name, daytime telephone number, recommendation or question and a staff member will return your call.

Sincerely yours,

Cheryl Malina  
WIPP Outreach Team Leader  
Radiation Protection Division (6602J)

Enclosure



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## Revised List of EPA WIPP Publications

Public Participation: EPA and the Waste Isolation Pilot Plant (WIPP), December 1995  
**Document Number EPA 402-K-95-002 (Spanish translation)**

Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance with the 40 CFR Part 191 Disposal Regulations: Response to Comments Document for 40 CFR Part 194, January 1996  
**Document Number EPA 402-R-96-001**

Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance with the 40 CFR Part 191 Disposal Regulations: Background Information Document for 40 CFR Part 194, January 1996  
**Document Number EPA 402-R-96-002**

Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance with the 40 CFR Part 191 Disposal Regulations: Economic Impact Analysis for 40 CFR Part 194, January 1996  
**Document Number EPA 402-R-96-003**

EPA Fact Sheet: Final Compliance Criteria for the Waste Isolation Pilot Plant (40 CFR Part 194)  
**Document Number EPA 402-F-95-008**  
**Document Number EPA 402-F-95-001 (Spanish translation)**

Compliance Application Guidance for the Waste Isolation Pilot Plant: A Companion Guide to 40 CFR Part 194, March 1996  
**Document Number EPA 402-B-95-014**

EPA WIPP Bulletin, Spring 1996



# EPA's Communications Plan for the Waste Isolation Pilot Plant



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# EPA's Communications Plan for the WIPP

## *A Commitment to Protect to Communicate and Consult*

### INTRODUCTION

The public in New Mexico expressed their interest in the Environmental Protection Agency's (EPA) activities at the Waste Isolation Pilot Plant (WIPP).

This plan describes how the EPA presently—and into the future—is communicating with the public and other interested parties concerning EPA's activities at the WIPP.

State and local governments, citizen and environmental groups, industry, and other Federal agencies play an important role in these communications.

EPA is committed to conducting an open public process which include interactions with these groups and other interested parties.

# Background

Since the 1980s, the Department of Energy (DOE) continues to conduct research on the potential of the WIPP as an underground repository for radioactive waste. The WIPP is located near Carlsbad, New Mexico. In 1992, Congress passed the WIPP Land Withdrawal Act, which created a new role for EPA. In the past, EPA's radioactive waste disposal authority was limited to developing standards which were carried out by other agencies. The Act authorized EPA to establish criteria for deciding if the WIPP meets EPA's waste disposal standards. Specifically, unless EPA certifies that WIPP meets its

radioactive and hazardous waste disposal standards, DOE may not dispose of waste at the WIPP.

EPA's role in the WIPP includes complex and controversial technical and policy issues. EPA welcomes participation in both technical and non-technical matters from all interested parties throughout the decision-making process. The Agency believes a successful communication and consultation program enhances the regulatory oversight process and ensures sound public policy decisions.

**EPA's major WIPP activities include:**

- Issuing radioactive waste disposal standards for WIPP, spent nuclear fuel, and high-level radioactive waste.
- Developing compliance criteria which will be used to certify whether or not the WIPP meets the radioactive waste disposal standards.
- If WIPP is certified, deciding every five years whether or not the WIPP continues to meet the radioactive waste disposal standards.

## **Communications Objectives for EPA's WIPP Oversight Program**

EPA's objective is to keep the public informed and involved in the decision-making process. EPA discovered—through interviews and at public meetings—that many people share this objective. To keep the public well-informed, EPA strives to provide timely responses to public inquiries and comments. Currently, EPA publishes booklets and fact sheets (most are available in Spanish) on EPA's role and activities at WIPP and other radiation subjects, and a periodic newsletter. In addition, EPA maintains a toll-free WIPP Information Line, 1-800-331-WIPP in English and Spanish.

Detailed information on these efforts is contained in this plan. Finally this plan contains a list of current WIPP and WIPP-related publications.

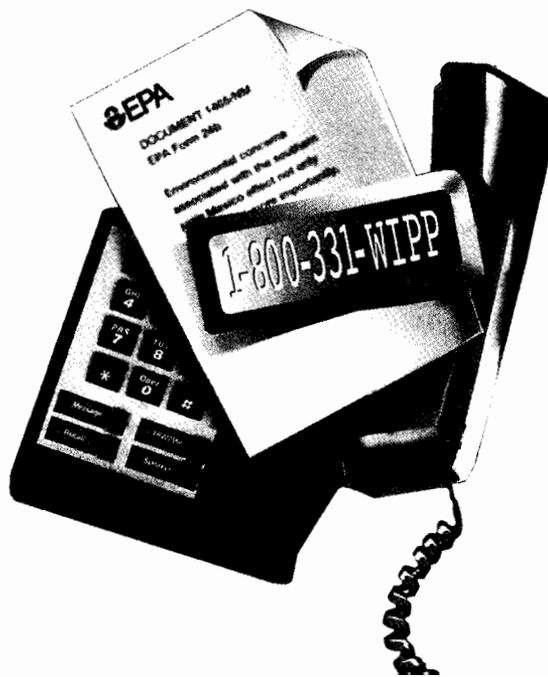
## **How the Communications Plan Was Developed**

Shortly after Congress passed the WIPP Land Withdrawal Act, EPA's Office of Radiation and Indoor Air (ORIA) initiated a program to keep the public informed of and involved in the Agency's WIPP-related activities. This began in December of 1992, when EPA officials traveled to New Mexico and held public meetings in Albuquerque, Santa Fe, and Carlsbad. EPA held these meetings to inform citizens about the Agency's new role as regulator of DOE's WIPP activities and to answer questions about that role. In addition, EPA wanted to learn how it could be responsive to the public in this new role.

Through the public meetings, EPA recognized that the Agency needed a way to identify and address the public's specific

concerns and information needs. In July of 1993, Agency officials conducted a "Public Communications and Consultation Needs Assessment." As part of this assessment, EPA met with approximately twenty-five individuals representing various interest groups, including: environmental advocates, private citizens, business group members, and state and local government officials. They came from many parts of New Mexico. The people selected to participate in this assessment represented a wide range of interests and opinions regarding the WIPP. Several of those interviewed were representatives of larger groups of New Mexicans. During the interviews, EPA asked citizens about their concerns and their interest in being informed and involved. Also, EPA asked how it could best communicate with them about WIPP activities.

From the information gathered at the public meetings, the assessment interviews, and two years of program experience, EPA developed this Communications Plan. EPA is distributing the plan to members of the Agency's WIPP Mailing List and to anyone who requests it. Persons who wish to add their name to the mailing list may do so by calling EPA's WIPP Information Line, 1-800-331-WIPP.



# Findings from the Public Meetings and Communications Needs Assessment

The public is not familiar with many government activities surrounding the WIPP that affect them. The major findings from the Needs Assessment and public meetings address this issue. EPA based this Communications Plan, to a large extent, on these findings. Members of the New Mexico public made the following suggestions to EPA.

## *Full disclosure of information related to the WIPP*

They want to receive extensive information on the WIPP. They want information on EPA's WIPP responsibilities, other agencies' WIPP responsibilities, the status of EPA actions, and the relative risks and hazards of radiation and radioactive waste disposal.

Participants requested that EPA provide honest, complete, relevant, and uncensored information. They want access to various types of information, including details of communications between EPA and DOE.

## *Integrity in EPA's decision-making process*

The public voiced apprehension about the integrity of EPA's decision-making process. They are concerned that political considerations (and not public health and safety considerations) will influence Agency decisions. They feel that DOE will not provide EPA with accurate data. Participants suggested EPA provide information on the types of communications that occur between the Agency and DOE. They want EPA to explain its approach to receiving and incorporating public participation into decisions.

## *Include the public in meetings*

Participants requested access to events, such as EPA's consultations with the National Advisory Council for Environmental Policy and Technology (NACEPT) WIPP Review Committee. In addition, they want in-person contact with Agency officials and a method by

which people can contact EPA for the latest information on upcoming events.

## *Early notification about WIPP meetings*

They suggested that EPA publicize its WIPP events (e.g., meetings) widely and well in advance. New Mexico's diverse geography and cultures make it even more important for the Agency to make special efforts to notify citizens early. Some may have to come great distances to attend meetings.

## *Conduct activities openly and consult the public when making decisions*

Participants want to have some involvement in EPA's decisions about the WIPP. Such involvement is particularly important to New Mexicans because many feel they were not invited to participate in the past. They want the Agency to solicit public opinion on proposed EPA decisions involving the WIPP.

## *Meet the needs of the geographically- and culturally-diverse population*

New Mexico consists of many populations, including Hispanic and Native American communities, who would like to see EPA make an effort to reach these people and others in remote areas. They recommended that EPA provide information that is understandable to the various communities and that the Agency distribute information through established New Mexico community-based organizations.

## *Respond to all public inquiries and suggestions*

Participants requested timely response to inquiries. They want to ask a question, request information, or make a suggestion and receive a prompt response.

This information and these suggestions from the public provide the bases for many of the following EPA WIPP Outreach Activities.

## EPA's WIPP Public Communications Documents and Activities

EPA strives to make its WIPP activities and the decision-making process open to the public. In addition, EPA makes available, as soon as possible, all WIPP documents at various docket locations. To help the public stay informed of EPA's WIPP-related activities, EPA provides several information products and resources. These include written materials, electronic access to information, public hearings and other meetings, and dockets.

### Public Information Documents

#### *WIPP Public Outreach Materials*

A variety of WIPP publications are available from the Agency; among these are Fact Sheets, (printed in English and Spanish) which are concise documents covering various aspects of EPA's WIPP Oversight Program. Some of the fact sheets developed by EPA's ORIA include: EPA's role concerning the WIPP, the radioactive waste disposal standards, the WIPP Review Committee of the National Advisory Council for Environmental Policy and Technology (NACEPT), and EPA's Proposed Compliance Criteria for certifying the compliance or non-compliance of the WIPP with EPA's Radioactive Waste Disposal Standards. EPA's Office of Solid Waste also developed fact sheets on EPA's No-Migration Determinations for the WIPP.

In addition, the Agency created the one-page *EPA WIPP Update*, a flyer EPA publishes as new events or important issues arise regarding WIPP. EPA has begun publishing the *EPA WIPP BULLETIN*. This is a newsletter containing articles about the various aspects of EPA's WIPP activities.

The *WIPP Implementation Strategy* is a detailed document explaining EPA's plan for carrying out its WIPP responsibilities under the Land Withdrawal Act. This is the first document developed by EPA's WIPP program.

*EPA and the WIPP* is a booklet (available in English and Spanish) that explains the Agency's WIPP-related responsibilities. The booklet provides information on WIPP waste, a proposed schedule, ways for the public to participate in EPA's decisions, and a summary of other Federal and state agencies' WIPP-related duties.

EPA also publishes an *Annual Report to Congress* on Agency actions and resources concerning regulation of the WIPP. EPA's 1993 and 1994 Annual Reports are available to the public.

The Agency distributes these documents at public meetings and hearings and to individuals and organizations on EPA's WIPP Mailing List. In addition, anyone may call the WIPP Information Line and request the documents. Press releases, meetings with the press, weekly updates of the WIPP Information Line, *Federal Register* notices, newspaper notices, and submissions to dockets also provide information to the public. A current listing of all available WIPP and WIPP-related documents appears on page 9, and they are available to anyone who calls the WIPP Information Line.

## Public Information Resources

— *How to Stay Informed*

### WIPP Information Line

The WIPP Information Line is a telephone line with a recorded message that provides details on: upcoming WIPP-related meetings and hearings, available documents, additions to the dockets, and status updates. Callers have the option of listening to the message recorded in English or Spanish. Dial 1-800-331-WIPP to reach this toll-free line, any time of the day or night.

The line can also record messages from outside callers. Individuals interested in asking a question or requesting a document may do so. A member of EPA's staff will return calls within a few business days to individuals who asked questions. EPA encourages the public to leave their questions on the line.

### WIPP Mailing List

This is a listing of individuals interested in receiving information concerning EPA's WIPP activities. The list includes the general public, interest groups, the media, Indian Tribes, environmental companies, other Federal agencies, Members of Congress, and Hispanic groups. EPA distributes WIPP publications and documents using the mailing list. If you would like to be added to the list, please call the WIPP Information Line.

### Electronic Bulletin Board

EPA's electronic bulletin board, the Technology Transfer Network (TTN), provides on-line information regarding EPA's WIPP oversight program. Using computer equipment, anyone may access WIPP documents through this network. The TTN can be accessed for the cost of a long distance phone call, using telecommunications

software and a modem, at (919) 541-5742. The TTN bulletin board may be reached via Telnet at [ttnbbs.rtpnc.epa.gov](http://ttnbbs.rtpnc.epa.gov). For assistance in accessing the network, call the Help Desk at (919) 541-5384 between 1:00 p.m. and 5:00 p.m. EST, or leave a message on the toll-free WIPP Information Line. For detailed written information on the TTN bulletin board, leave a message on the WIPP Information Line.

### Dockets

The Agency established document files (dockets) in Santa Fe, Albuquerque, and Carlsbad, New Mexico and Washington, DC for the various WIPP rulemakings. All documents such as reports, notes of meetings, and correspondence associated with rulemakings are in the dockets. Members of the public may read and photocopy these materials. The addresses of the four WIPP docket locations are:

Carlsbad Public Library  
101 S. Halagueno  
Carlsbad, NM 88220  
(505) 885-6776

Fogelson Library  
College of Santa Fe  
1600 St. Michaels Drive  
Santa Fe, NM 87505  
(505) 473-6576

Gov't Publications Dept.  
Zimmerman Library  
University of New Mexico  
Albuquerque, NM 87131  
(505) 277-5441

U.S. EPA  
Room M-1500 (6102)  
401 M Street, SW  
Washington, DC 20460  
(202) 260-7548

As documents are added to the dockets, EPA lists the new information in the weekly update on the WIPP Information Line. Please note that some docket locations may charge a fee for photocopying.

### ***Public Hearings***

Public hearings are official parts of EPA WIPP rulemakings. Advertised in advance, they offer members of the public a forum where they can personally present their opinions on a proposed rule. EPA records the public comments for consideration when formulating the final rule. Instructions for submitting written comments are also included in the *Federal Register's* publication of the proposed rule. The Agency will develop a Response-to-Comments document on all proposed rulemakings. This document addresses specific written comments that the Agency received from the public and includes information on why the Agency did or did not incorporate the comments into the final regulation.

EPA conducted a series of public hearings on the Resource Conservation and Recovery Act (RCRA) Conditional No-Migration Determination in May and June of 1989 in Carlsbad, Albuquerque, and Santa Fe, NM. EPA also conducted public hearings on the proposed amendments to the radioactive waste disposal standards in the same locations in New Mexico in February of 1993. EPA conducted public hearings on the proposed compliance criteria for the WIPP in March of 1995, also in New Mexico. EPA will conduct public hearings on the proposed compliance certification. Information on when and where public hearings will be held will be announced on the WIPP Information Line, in the *Federal Register*, and in local New Mexico newspapers.

### ***Technical Exchange Meetings***

EPA and DOE meet periodically to conduct open technical exchange meetings in New Mexico and Washington, DC. During these meetings, DOE provides the Agency with detailed information on topics associated with DOE's program for demonstrating WIPP's compliance with EPA's radioactive waste disposal standards. The meetings

consist of a DOE presentation followed by detailed discussion and clarification of issues important to EPA. Technical exchange meetings are announced, in advance, on the WIPP Information Line. The public is welcome to attend and observe these meetings. Notes summarizing these meetings are placed in the dockets.

### ***NACEPT WIPP Review Committee Meetings***

Shortly after enactment of the WIPP Land Withdrawal Act in 1992, EPA established an advisory committee under the National Advisory Council for Environmental Policy and Technology (NACEPT) to provide advice and counsel to the EPA on technical and policy issues associated with the Agency's carrying out of the Act. All meetings of the Committee are open to the public and provide opportunities for citizens to provide comments on the subjects examined.

### ***Meeting Information and Notices***

Information about public meetings, public hearings, requests for written comments, and meetings of the WIPP Review Committee of NACEPT is published in the *Federal Register* and announced on the WIPP Information Line a few weeks before each event. In addition, the Agency places notices of public hearings and meetings in major New Mexico newspapers.

### ***Media Relations***

EPA has issued press releases or press advisories concerning its WIPP-related actions. Topics addressed include: the formation of the NACEPT WIPP Review Committee, the proposed amendments to the radioactive waste disposal standards, the public hearings on the proposed amendments, the final amendments to the standards, DOE's decision not to conduct tests with waste at the WIPP, and the proposed compliance criteria. EPA issues press releases through

its headquarters office, and in an effort to concentrate on the New Mexico media, press releases are also issued through EPA's Region 6 Public Affairs Office in Dallas, Texas. The Agency will continue to issue press releases or advisories on important WIPP events.

In December of 1993, EPA representatives held an informal meeting and teleconference with New Mexico media representatives in Albuquerque, NM. Participants discussed EPA's current WIPP activities and the final amendments to the radioactive waste disposal standards. In January of 1995, EPA held another informal teleconference to discuss the proposed compliance criteria. The Agency will continue to hold informal teleconferences with the media as important WIPP events occur. Some of the many newspapers that EPA sends information to include the Albuquerque *Journal*, the Carlsbad *Current-Argus*, and the Santa Fe *New Mexican*.

### *Congressional Relations*

EPA conducts briefings before members of United States Congress to keep them informed of EPA's WIPP activities. These briefings are given to New Mexico representatives in the House and Senate, and to the various committees that have WIPP oversight responsibilities (e.g., the Senate Committee on Energy and Natural Resources). In addition, EPA publishes an *Annual Report to Congress* on the Agency's WIPP activities.

### *National and State Conferences and Meetings*

Agency officials participate in many national, international, state, and industry sponsored conferences and meetings concerning radioactive waste issues. Officials have addressed conferences and meetings sponsored by the League of Women Voters, the National Academy of Sciences, the American Nuclear Society, the American Society of Civil

Engineers, and the States of New Mexico and Nevada.

EPA officials have made presentations to the State of New Mexico's Radioactive Waste Consultation Task Force and the State of New Mexico's Radioactive and Hazardous Materials Committee. The State authorized this Task Force, also known as the Governor's WIPP Task Force, to negotiate on their behalf with the Federal Government in all areas relating to the siting, licensing, and operation of radioactive waste disposal facilities. The Committee examines a broad spectrum of radioactive and hazardous materials issues, including generation, treatment, storage, transportation, and disposal. The Governor's WIPP Task Force meets periodically with this legislative committee to keep them informed of all actions taken by the Task Force. The Committee makes recommendations to the NM Legislature on radioactive waste issues, as appropriate. EPA periodically makes presentations to these executive and legislative groups. These presentations are open to the public. The Agency plans to continue to keep the Task Force and the Committee informed of EPA's activities.

Agency officials participate in the quarterly meetings of the National Academy of Sciences' WIPP Panel to discuss current EPA WIPP activities.

EPA attends various radiation conferences including: the Annual International High-Level Radioactive Waste Management Conference & Exposition and Spectrum '94, an international technical topical meeting on the management of nuclear and hazardous waste. At these conferences, EPA has presented papers on the implementation of transuranic waste disposal standards at the WIPP, the communications needs assessment, and EPA's proposed compliance criteria for the WIPP.

## **Future Activities**

EPA is developing a trifold brochure on WIPP information resources with a section on how the public can become involved in EPA's WIPP Public Participation Activities. New Fact Sheets are also planned describing EPA's rulemaking activities as they occur.

Members of the public have suggested additional ways to distribute information effectively. For example, Tribal and Hispanic group representatives said that they can serve as conduits of information to and from their constituencies. EPA is exploring ways that it can work with Hispanic and

Tribal community-based organizations to pass on information on EPA's WIPP oversight activities to their constituencies.

When various rulemakings are proposed, EPA plans to conduct a press conference call, selected stakeholder conference calls, and public hearings on the rulemakings in three cities in New Mexico. EPA will continue to hold public hearings and NACEPT meetings that are open to the public. Additionally, EPA will consider hosting informal public meetings on issues related to the rulemaking activities if requested by outside organizations.

## **EPA'S COMMITMENT**

EPA is committed to meeting the New Mexican citizens' interest in being kept informed and involved in developments regarding the possibility of nuclear waste and hazardous waste being disposed of at the WIPP. Given the complexity of the issues, EPA seeks public participation in proposed decisions. The Agency developed this Communications Plan to let the public know about the ways used to inform and involve them in its WIPP oversight program activities. EPA encourages you to comment on this plan. Please feel free to send your comments to the Public Outreach Staff – Radiation Protection Division (6602J), US EPA, 401 M Street, SW, Washington, DC 20460; or, if they are brief, leave them on the WIPP Information Line.

For more information or to add your name to the WIPP mailing list, please call 1-800-331-WIPP or write to:

U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division (6602J)  
401 M Street, SW  
Washington, DC 20460

# EPA WIPP Publications

Environmental Fact Sheet: EPA's Final Conditional No-Migration Determination for DOE's Waste Isolation Pilot Plant, October 1990

**Document Number EPA 530-SW-91-026**

Environmental Fact Sheet: Proposed Amendments to Environmental Radiation Protection Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes (40 CFR Part 191), February 1993

**Document Number EPA 402-F-93-001**

EPA's Implementation Strategy for the Waste Isolation Pilot Plant Land Withdrawal Act of 1992, March 1993

**Document Number EPA 402-R-93-002**

Environmental Fact Sheet: NACEPT, Advising the EPA on WIPP Activities, September 1993

**Document Number EPA 402-F-93-007**

**Document Number EPA 402-F-93-009** (Spanish translation)

Environmental Fact Sheet: Final Amendments to Environmental Radiation Protection Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes (40 CFR Part 191), December 1993

**Document Number EPA 402-F-93-008**

**Document Number EPA 402-F-94-002** (Spanish translation)

EPA WIPP Update Number 1, December 1993

EPA WIPP Bulletin, Spring 1994 and Spring 1995

Implementation of the Waste Isolation Pilot Plant Land Withdrawal Act, 1993 Report to Congress, January 1994

**Document Number EPA 402-R-94-010**

Radioactive Waste Disposal: An Environmental Prospective, August 1994

**Document Number EPA 402-K-94-001**

EPA and the WIPP, July 1994

**Document Number EPA 402-K-94-009**

**Document Number EPA 402-K-94-010** (Spanish translation)

Environmental Fact Sheet: Proposed Compliance Criteria for the Waste Isolation Pilot Plant (40 CFR Part 194), January 1995

**Document Number EPA 402-F-93-007**

**Document Number EPA 402-F-93-008** (Spanish translation)

Implementation of the Waste Isolation Pilot Plant Land Withdrawal Act, 1994 Report to Congress, January 1995

**Document Number EPA 402-R-95-001**

Criteria for the Certification and Determination of the Waste Isolation Pilot Plant's Compliance with 40 CFR Part 191: Background Information Document for Proposed 40 CFR Part 194, January 1995

**Document Number EPA 402-R-95-002**

Criteria for the Certification and Determination of the Waste Isolation Pilot Plant's Compliance with 40 CFR Part 191: Economic Impact Analysis for Proposed 40 CFR Part 194, January 1995

**Document Number EPA 402-R-95-002**



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