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ENTERED



MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

January 31, 1997

Charles Slade
Room 320
917 Main Street
Vancouver, BC V6A 1N1
CANADA

Dear Mr. Slade:

Thank you for your inquiry about the Waste Isolation Pilot Plant (WIPP). The New Mexico Environment Department (NMED) has reviewed an application from the U.S. Department of Energy (DOE) for disposal of transuranic mixed waste at WIPP, and expects to issue a draft permit for public comment later this year. Your request was forwarded to me since I am the lead permit writer on this project and have greatest access to the type of information you might need.

I am enclosing copies of some of the items you requested. The New Mexico Statutes (Annotated) 1978, Chapter 74, Article 4, provides the statutory authority for NMED's hazardous waste management program. Also, the U.S. Environmental Protection Agency (EPA) has delegated the authority to administer the federal Resource Conservation and Recovery Act (RCRA) program to NMED upon demonstration that the state program is equivalent to, and no less stringent than, the federal program. To demonstrate equivalency, NMED adopts the federal RCRA regulations (40 CFR §260 through §273) by reference into the state regulations, which are enclosed as Title 20, Chapter 4, Part 1 of the New Mexico Annotated Code (20 NMAC 4.1). Unfortunately, the 40 CFR §§260 - 273 are rather voluminous, but may be obtained from EPA's World Wide Web site at <http://www.epa.gov/docs/epacfr40/chapt-I.info/subch-I> as Adobe Acrobat files. If that last sentence didn't make sense, you might be able to view the regulations in the legal section of a large public or university library in Vancouver.

I need to clarify one statement in your letter. You stated, "Please send information on cleaning up hazardous waste from nuclear waste dumps like the waste Isolation Pilot Plant...". However, waste will not be cleaned up from WIPP. Rather, DOE is planning to dispose of transuranic waste from other nuclear weapons facilities, such as the Hanford Reservation in Washington state, at WIPP. At the end of the operational phase (roughly 25 to 35 years), the access shafts to WIPP would then be sealed and the waste left in place, where it would be isolated from the biosphere.

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I called DOE's WIPP Information Center this morning and requested that they send you additional materials. I have also added your name to our WIPP mailing list, so that you will receive information when the draft permit for disposal is released for public comment. Thanks again for your interest, and let me know if I can be of further assistance.

Sincerely,



Steve Zappe RCRA Permits Program
Hazardous and Radioactive Materials Bureau

cc: WIPP File - Red '97

Enclosures

117 Main St
Vancouver BC
Canada V6A1N1

please send information on cleaning up
hazardous waste from nuclear waste dumps
like the waste Isolation Pilot Plant,
preventing the migration of hazardous waste,
and the Resource Conservation and Recovery Act
and similar New Mexico state acts

Charles Glade