



NEW MEXICO ENERGY, MINERALS
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Jennifer A. Salisbury
CABINET SECRETARY



April 6, 1998

MEMORANDUM

To: Distribution {see next page}

From: Chris Wentz, Coordinator *CW*
N.M. Radioactive Waste Consultation Task Force
(Governor's WIPP Task Force)

Subject: **WIPP BIENNIAL ENVIRONMENTAL COMPLIANCE REPORT (1998)**

The Carlsbad Area Office of the U.S. Department of Energy (DOE-CAO) has delivered to the Task Force copies of the 1998 *Waste Isolation Pilot Plant Biennial Environmental Compliance Report (BECR)*. Preparation of this DOE-CAO report is mandated under Section 9(a) of the federal WIPP Land Withdrawal Act of 1992, as amended [Public Law 102-579].

In essence, DOE-CAO must submit to the State of New Mexico and the U.S. Environmental Protection Agency (EPA) on a biennial basis documentation of WIPP's compliance with certain laws, regulations, and permit requirements listed in the WIPP Act. The *WIPP BECR* is DOE-CAO's documentation of WIPP's compliance.

It is important to note that the WIPP Act provides the following directive: "The [EPA] Administrator or the State, as appropriate, shall determine... whether the [DOE] Secretary is in compliance with the laws, regulations, and permit requirements..." listed in the WIPP Act. The deadline for EPA and the State to make their determinations is April 30, 1999.

The Task Force will again be coordinating the State of New Mexico's comments on the WIPP Biennial Environmental Compliance Report, as was done in 1995 and 1997.

Any comments and/or recommendations on the 1998 BECR should be sent to my attention at the mailing address on this letterhead no later than April 26, 1999.

Please feel free to contact me at 505/827-1372 if you have any questions about the document or your review of those sections relevant to your respective agencies' statutory duties. Thank you for your assistance in this matter.

c: Jennifer A. Salisbury, Cabinet Secretary and Task Force Chair

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WIPP BIENNIAL ENVIRONMENTAL COMPLIANCE REPORT

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