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Steve Z

**The Secretary of Energy**  
Washington, DC 20585

May 13, 1998



Mr. Mark Weidler, Secretary  
New Mexico Environment Department  
P. O. Box 26110  
1190 St. Francis Dr.  
Santa Fe, NM 87502-6110

Dear Secretary Weidler:

Pursuant to section 7(b)(3) of the Waste Isolation Pilot Plant Land Withdrawal Act, I have provided notification to Congress that the Department of Energy will open the Waste Isolation Pilot Plant for disposal operations. The Environmental Protection Agency has issued its rule certifying that the Waste Isolation Pilot Plant is in compliance with the radioactive waste disposal regulations. The rule will be effective 30 days after publication in the *Federal Register*. I have determined that the Waste Isolation Pilot Plant is in compliance with all requirements of section 9(a)(1) of the Land Withdrawal Act. Accordingly, the Department of Energy plans to begin disposal operations on the effective date of the Environmental Protection Agency's rule.

If I may be of further assistance, please call me or have a member of your staff contact Mr. John C. Angell, Assistant Secretary for Congressional and Intergovernmental Affairs, at (202) 586-5450.

Sincerely,

Federico Peña

980522



# DOE

# NEWS

**NEWS MEDIA CONTACTS:**

Anne Elliott, 202/586-1607

Dan Baldiuni, 505/234-7515

**IMMEDIATE RELEASE**

**May 13, 1998**

## **Energy Secretary Notifies Congress Waste Isolation Pilot Plant Ready to Open** *Action Follows EPA Certification of Facility*

Secretary of Energy Federico Peña today notified Congress that the Waste Isolation Pilot Plant (WIPP) near Carlsbad, N.M. is ready to begin disposal operations. Secretary Peña's action follows the U.S. Environmental Protection Agency's (EPA) issuance of a certification of compliance for the WIPP earlier today. Publication of the EPA certification in the *Federal Register*, expected by May 20, will initiate a 30-day waiting period before WIPP shipments and disposal operations can begin. The opening date is set tentatively for June 19.

"Officially notifying Congress that the WIPP is ready for operation and has met all prerequisites has been a priority of this administration," said Secretary Peña. "Our action today culminates a 24-year process and marks a historic milestone in our nation's efforts to clean up the environmental legacy of the Cold War. I am proud of this achievement.

"The Department of Energy and the Environmental Protection Agency both agree: the WIPP meets all federal disposal standards for transuranic radioactive waste and is ready to accept this defense-generated waste. The WIPP will be the first geological repository for defense-generated radioactive waste," Peña added. "With the opening of the WIPP, we will be taking a substantial step forward in the environmentally safe cleanup of the nation's former nuclear weapons production sites."

( MORE )

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## U.S. Department of Energy Notification to Congress *Disposal Operations to Begin at the Waste Isolation Pilot Plant*

The Department of Energy notified Congress on May 13, 1998 of its decision to begin disposal of defense-generated transuranic (TRU) waste at the Waste Isolation Pilot Plant (WIPP). Located in southeastern New Mexico 26 miles east of Carlsbad, WIPP's facilities include disposal rooms excavated 2,150 feet (almost half a mile) underground in an ancient, stable salt formation.

The Department has issued its 30-day notification to Congress following the Environmental Protection Agency's (EPA) certification that WIPP meets its regulatory requirements. The EPA was authorized by Congress to certify WIPP in the WIPP Land Withdrawal Act, Public Law 102-579 as amended by Public Law 104-201. This certification affirms that WIPP will safely isolate TRU waste from the accessible environment for the regulatory period of 10,000 years.

In January, the Department issued a Record of Decision based on the *Waste Isolation Pilot Plant Disposal Phase Supplemental Environmental Impact Statement* which stated that DOE would dispose of its defense-generated TRU waste at WIPP. That decision was conditional on the EPA's issuance of a certification of compliance.

The Department may commence shipments 30 days after the publication of EPA's certification in the Federal Register, expected by May 18, 1998.

### **Transuranic Waste Defined**

TRU waste is generated from nuclear weapons production and dismantlement, and research and development activities. TRU waste can include anything contaminated with manmade radioactive elements heavier than uranium, mostly plutonium. TRU waste generally consists of protective clothing, tools, piping, air filters, sludges and residues.

### **Transuranic Waste Locations**

The Department's TRU waste is primarily stored in New Mexico, Colorado, Idaho, Washington, South Carolina, Tennessee, Nevada, California, Illinois and Ohio. DOE is also responsible for small quantities of TRU waste stored in Kentucky, Missouri, Pennsylvania, Iowa, New York and Virginia.

Three DOE sites are initially preparing to ship transuranic waste once the WIPP is open for disposal operations: the Los Alamos National Laboratory (LANL) in New Mexico, the Idaho National Engineering and Environmental Laboratory (INEEL) in Idaho, and the Rocky Flats Environmental Technology Site (RFETS) in Colorado. The EPA has approved the waste characterization program at LANL, and is scheduled to complete audits of the other two sites this year. Eventually, DOE will ship from 23 locations in 16 states.

### **The Department's Decision**

The Department of Energy is authorized to dispose of up to 175,600 cubic meters (6.2 million

cubic feet) of its TRU waste. This waste includes TRU waste accumulated in storage since 1970 and TRU waste to be generated over approximately the next 35 years. Initially, transportation to WIPP will be by truck, although the Department may use commercial rail transportation in the future.

This decision moves the Department forward toward safe, efficient environmental cleanup of the Department's storage sites nationwide. The decision will also enable the Department to comply with existing agreements with several states, including agreements that set a schedule for removal of TRU waste from the Department's sites.

### **RCRA Permit**

Until the DOE receives a Resource Conservation and Recovery Act (RCRA) Part B permit from the New Mexico Environment Department (NMED), the WIPP will receive only non-mixed transuranic waste. This RCRA permit is required for disposal of mixed waste, which is waste also containing hazardous constituents. The NMED is reviewing the Department's RCRA permit application.

### **For More Information**

WIPP Information Center:  
1-800-336-9477.

National Transuranic Waste  
Program Home Page:  
<http://www.wipp.carlsbad.nm.us>.



## U.S. Department of Energy Notification to Congress *Transportation of Transuranic Waste to the Waste Isolation Pilot Plant*

The Department of Energy notified Congress on May 13, 1998 of its decision to begin disposal of defense-generated transuranic (TRU) waste at the Waste Isolation Pilot Plant (WIPP). The Department plans to transport the waste to WIPP by truck. TRU waste can be anything contaminated with manmade radioactive elements heavier than uranium, mostly plutonium. Examples include protective clothing, tools, piping, air filters, sludges and residues.

Approximately 40,000 shipments of TRU waste are expected to arrive at WIPP over its 35-year period of operation. Trucks will travel to WIPP from the Department's TRU waste sites over routes designated by the U.S. Department of Transportation (DOT) and the States along each route, and in compliance with DOT and Nuclear Regulatory Commission (NRC) requirements.

### **Packaging TRU Waste for Shipments**

TRU waste is packaged and handled to avoid risk to people. Containers with contact-handled TRU waste can be lifted and moved directly by trained workers. Containers with remote-handled TRU waste require special shielding and special training for workers.

Trucks will transport contact-handled TRU waste to WIPP in NRC-approved packages called TRUPACT-II's. Each truck could

carry as many as three TRUPACT-II's, each of which can hold up to fourteen 55-gallon drums or two waste boxes. The Department will not transport remote-handled TRU waste to WIPP at this time.

### **Ensuring Safety**

The Department ensures safe shipments through:

-- *Waste Acceptance Criteria:* Before being shipped to WIPP, all waste must be characterized and packaged according to strict safety criteria for transportation.

-- *Safe Shipping Containers:* The TRUPACT-II is constructed to withstand severe accidents without releasing its contents. As part of its test program, the TRUPACT-II was dropped from a height of 30 feet, burned in jet fuel at 1475 degrees Fahrenheit for 30 minutes, and submerged in 50 feet of water to simulate extreme accident conditions.

-- *Emergency Response Training:* In addition to its own emergency response capabilities, the Department of Energy has and will continue to provide emergency response training to police, fire, and medical personnel located along the WIPP transportation routes.

-- *Advance Notification:* A shipment schedule will be provided to affected States and Tribes each year, with a mid-year update.

-- *Safety Inspections:* States perform an enhanced inspection of the vehicle and its contents before shipment leaves a site to confirm the vehicle's safety.

-- *Advanced Tracking System:* The Transportation Tracking and Communications Systems uses communications and satellite equipment to track each truck along its route. State and Tribal emergency response and law enforcement officials can use the system to track shipments through their jurisdictions. The system also makes the appropriate notifications prior to a shipment crossing a State's border.

### **Future Rail Option**

The Department may decide to use commercial rail service for TRU waste transportation in the future in order to reduce the number of shipments. Any future plans to use rail service will be made with State, Tribal and local involvement.

### **For More Information**

Information on the transportation of TRU waste to WIPP is available from:

WIPP Information Center:  
1-800-336-9477.

National Transuranic Waste Program Home Page:  
<http://www.wipp.carlsbad.nm.us>.