



ENVIRONMENTAL EVALUATION GROUP

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

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Step 23
ENTERED

October 13, 1998

Mr. Michael H. McFadden
Acting Manager
Carlsbad Area Office
U.S. Department of Energy
P.O. Box 3090
Carlsbad, NM 88221-3090

Dear Mr. McFadden:

We are pleased that CAO has agreed to present most of the topics requested for the 64th quarterly meeting scheduled for October 29, 1998 at the EEG office in Albuquerque. Initially we had requested a summary of the performance assessment activities but, as you noted, this topic was discussed at our October 8 meeting. Hence, we agree to the deletion. Incidentally, we are planning on a continued exchange on that important topic the first week of December, as we discussed with CAO and Sandia at the meeting on October 8.

For the quarterly, we requested a presentation of the plan for plugging and abandoning WIPP wells. Your comments indicate that you consider the plan to be "preliminary and predecisional" and therefore you do not wish to present the material at the quarterly. Our concern is that this activity is well underway. For example, it is our understanding that four wells have been selected for plugging and \$600,000 from fiscal year 1998 has been encumbered for that purpose. The wells include WIPP-12, P-14, D-268, and WIPP-28. Furthermore, it is our understanding that CAO will be submitting the plugging and abandonment plans for these wells to the New Mexico State Engineer for review this month and the State Engineer's Office anticipates that review and approval can be completed within two weeks of that submittal. The topic is timely and of concern to state, federal, and private entities, including EEG. We again request a presentation by DOE on this topic at the quarterly meeting. It is more meaningful to discuss this "pre-decisional" rather than "post-decisional."

You have given "low priority" as the reason to deny our request for a presentation on the CAO evaluation of the March 1998 underground CAM particulate test with supporting data. We consider this presentation and providing EEG with the supporting data to be long overdue. The test was performed more than six months ago and it is a high priority item to EEG as discussed at



Mr. Michael McFadden

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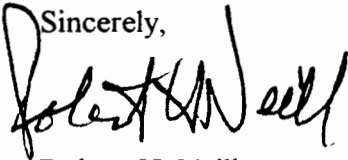
October 13, 1998

the last quarterly meeting. A preliminary report without data was provided at the last quarterly. We do not understand your reluctance to release this information to us. We have allowed time for a presentation in the attached proposed agenda.

Now that CAO has initiated excavation of the drifts leading to Panel 2, we have allotted time for a CAO presentation of this topic as well. This is a very timely topic and will be of interest to all participants at the quarterly.

We have attached the proposed agenda which reflects the comments we received from all participants in the quarterly. Kindly have your staff work with Dr. Matthew Silva to make any final adjustments to the titles, allotted times, and names of presenters. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert H. Neill". The signature is written in a cursive, somewhat stylized font.

Robert H. Neill

Director

RHN:js

cc: Pat Kilgore, DOE/CAO
Chris Wentz, NMEMNRD
Benito Garcia, NMED
Lindsay Lovejoy, NMAG

64th Quarterly Meeting
Tentative Agenda

| | | |
|-------|--|--|
| 8:00 | Introduction | M. Silva |
| 8:10 | DOE Carlsbad Area Office Update | M. McFadden |
| 8:30 | Environmental Evaluation Group Update | R. Neill |
| 8:50 | New Mexico Environment Department Update ✓ | S. Zappe |
| 9:10 | New Mexico Radioactive Waste Task Force Update | C. Wentz |
| 9:30 | NM Attorney General's Office Update | L. Lovejoy |
| 9:50 | Break | |
| 10:10 | RCRA Permit | NMED |
| | <ul style="list-style-type: none"> • Categories of comments received by NMED ✓ • Update of permit timeline ✓ • How NMED proposes to approve mixed waste at sites outside New Mexico | <div style="border-left: 1px solid black; padding-left: 10px; margin-left: 20px;"> <p><i>I don't think this should be discussed</i></p> </div> |
| 10:50 | NMED-approved sampling and analysis plan and status of characterization for LANL TA55-43, Lot 1 | DOE |
| 11:20 | Excavation of Panel 2 | DOE |
| 11:40 | Plans for plugging and abandoning WIPP Wells | DOE |
| 12:00 | Lunch | |
| 1:00 | Evaluation of the March 1998 underground CAM particulate test with supporting data | DOE |
| 1:20 | DOE Order 435.1, Manual, and Guidance and their impact on the TRU Waste Program | DOE |
| 1:40 | Waste Characterization Task Force Summary of first three meetings | DOE |
| 2:10 | Plans for non-WIPP TRU Waste Disposal | DOE |

64th Quarterly Meeting
Tentative Agenda (continued)

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| 2:30 | INEEL Advanced Mixed Waste Treatment Facility Plans, status, and implications for WIPP | DOE |
| 3:00 | Break | |
| 3:20 | Rocky Flats Residues: Quantities/DOE-HQ approval of safeguards and security limit increase | DOE |
| 4:00 | DOE investigation into mechanisms for notifying stakeholders of technical meetings | DOE |
| 4:15 | Discussion of potential mechanisms to improve the quarterly meetings | All |
| 4:30 | Action items and closing comments | |
| 5:00 | Adjourn | |