



Department of Energy

Carlsbad Area Office
P. O. Box 3090
Carlsbad, New Mexico 88221

October 23, 1998



Mr. Benito Garcia
New Mexico Environment Department
1190 St. Francis Drive
Harold Runnels Building
Santa Fe, NM 87503

Dear Mr. Garcia:

In response to your letter of October 16, 1998, the Department wishes to confirm Mr. Hunter's description of the activities at WIPP that began on October 1, 1998. This activity consists of excavating a pilot cut at the southern end of the W170 drift. A map showing the location of this drift is enclosed. This cut extends south and is approximately 75 feet in length. The W170 drift is an access drift; it will not be used for waste haulage or ventilation until Panel 5 is used to dispose of waste.

This activity is authorized under RCRA, the WIPP Land Withdrawal Act, the EPA's certification of WIPP, and the Atomic Energy Act. However, DOE ceased this activity on Friday, October 16, in order to expedite the issuance of the second draft of the RCRA permit for WIPP and as an accommodation to the plaintiffs in *New Mexico ex rel. Udall v. Richardson* (Nos. 91-2527 & 91-2929). Should the Department determine that it needs to extend this pilot cut further, it will give both you and the plaintiffs written notice at least 20 calendar days in advance.

DOE and Westinghouse must stabilize the pilot cut for safety. This stabilization will consist of "trimming" protrusions or loose material in the walls and ceiling of the cut. This trimming is required by the Mine Safety and Health Act. It will take no more than five days to complete and will not involve extending the drift to the south. Once this stabilization is complete, the pilot cut will be maintained in the same manner as other drifts. If you have any additional questions concerning this pilot cut or its stabilization, please contact Mr. Kent Hunter.

Sincerely,

Michael H. McFadden
Acting Manager
U.S. Department of Energy
Carlsbad Area Office

Joseph L. Epstein
General Manager
Westinghouse Electric Corporation
Waste Isolation Division

Enclosure



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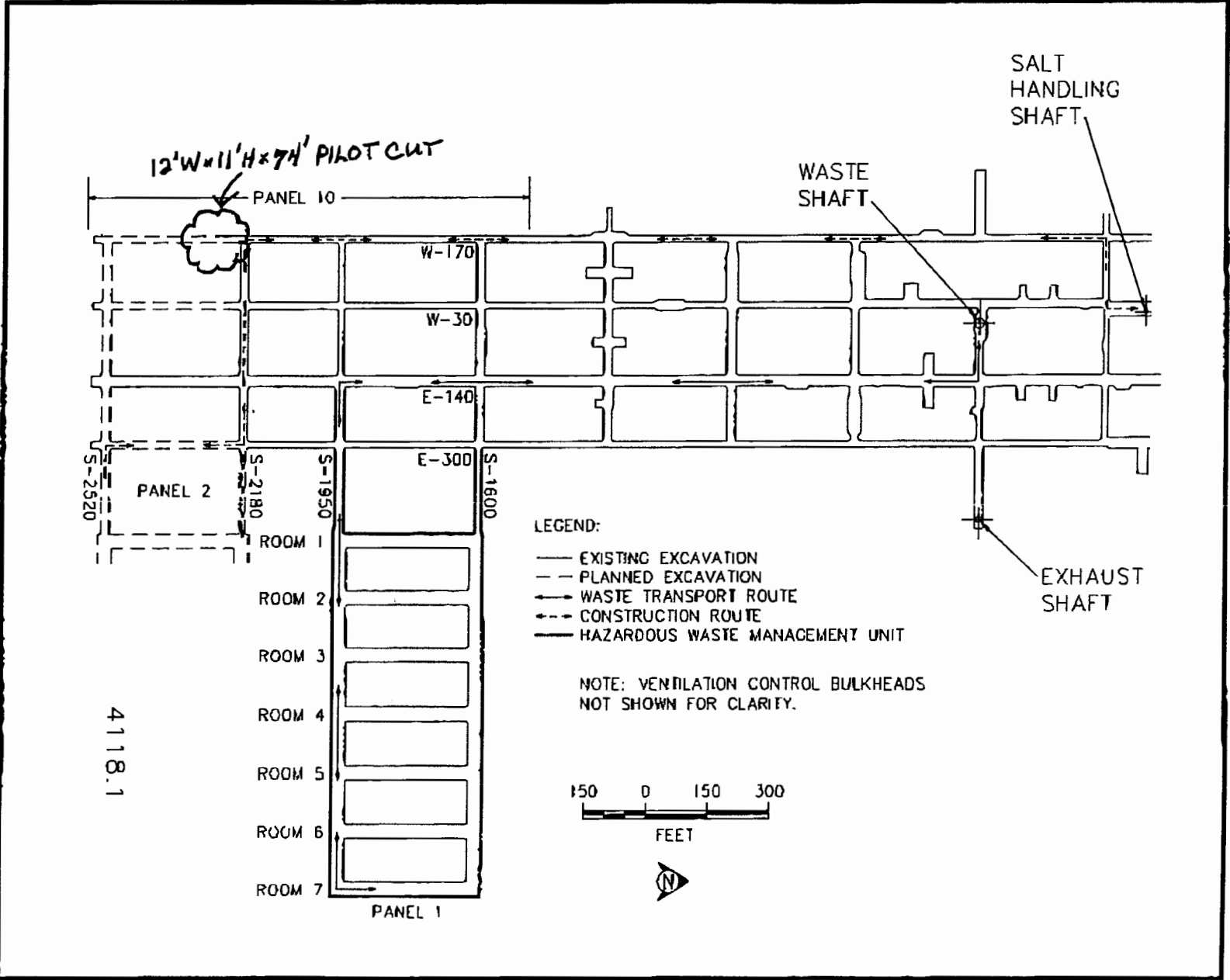


Figure 4.2-21b,

Underground Transport Routes