



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
AIR AND RADIATION

NOV - 5 1998

The Honorable Daniel L. Schaefer
Chairman
Subcommittee on Energy and Power
Committee on Commerce
U.S. House of Representatives
Washington, D. C. 20515-6115

Dear Mr. Chairman:

I am responding to your letter of October 14, 1998, in which you requested information about our audits and inspections of U.S. Department of Energy (DOE) sites that characterize transuranic waste for disposal in the Waste Isolation Pilot Plant (WIPP). The U.S. Environmental Protection Agency (EPA) shares your interest in the timely disposition of our audits and inspections of programs and processes that affect the WIPP.

EPA conducts audits or inspections only of quality assurance programs and specific waste characterization processes that have first been audited by the DOE Carlsbad Area Office (CAO). The purpose of EPA's independent audits and inspections of the quality assurance programs and waste characterization processes at DOE waste generator sites is to verify the establishment and execution of such processes and programs, as expressly required by 40 CFR Part 194 ("Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance with the 40 CFR Part 191 Disposal Regulations"). EPA's certification of the WIPP, in accordance with 40 CFR Part 194, was specifically conditioned on demonstration of compliance with these requirements.

As noted in your letter, EPA conducted a quality assurance audit and a technical inspection of specific processes at the Rocky Flats Environmental Technology Site in June 1998 and at Idaho National Engineering and Environmental Laboratory in July 1998, under the authority of 40 CFR 194. During the technical inspection at the Idaho site, EPA identified a compliance issue concerning the quantification and reporting of Uranium-234. Uranium-234 is one of ten radioisotopes central to the WIPP's performance and was specifically identified by DOE in the WIPP Compliance Certification Application as one of the isotopes required to be identified by waste characterization. EPA notified CAO that the issue must be resolved because it could affect measurements at multiple sites if left unaddressed. CAO informed EPA on October 23 that the issue has been addressed.

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EPA is in the process of verifying that the waste characterization activities at both the Rocky Flats and Idaho sites adequately quantify and report Uranium-234. EPA will fully address the issue and will announce our decision concerning the processes we examined at the Rocky Flats and Idaho sites when we release the reports on these activities. The reports are scheduled to be issued in the near future. We will continue to conduct audits and inspections in accordance with 40 CFR 194, as CAO notifies us that the sites are prepared for regulatory review.

If you have any questions or concerns, please contact Frank Marcinowski at (202) 564-9290.

Sincerely,



Robert Perciasepe
Assistant Administrator

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Identical Letter Sent:
The Honorable Michael D. Crapo
Vice Chairman
Subcommittee on Energy and Power
Committee on Commerce
U.S. House of Representatives