Susan Fonner

Office of the General Counsel

FROM:

Original signed by

James L. Blaha Assistant for Operations

Office of the Executive Director for Operations

SUBJECT:

COMMENTS ON PROPOSED REPORT ON THE IMPLEMENTATION OF

THE WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL ACT

Staff in the Performance Assessment and High-Level Integrations Branch reviewed the draft EPA report, "Implementation of the Waste Isolation Pilot Plant 1995 Report to Congress." The staff recommends three Land Withdrawal Act: changes in the draft report be made for clarification. These recommendations are attached. In addition, the staff notes that the geology at WIPP may make maximum containment levels (MCLs) in underground sources of drinking water within the accessible environment over 10, 000 years achievable for this one site. However, the staff has serious doubts about the achievability of compliance with MCLs for radionuclides in the aguifer at a range of other sites.

Attachment: Specific comments on

draft EPA Report

CONTACT:

James R. Firth, NMSS/DWM

415-6628

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JMTaylor JSurmeier

**DMorris** 

\* See previous concurrence:

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PAHL\* PAHL\* NMSS\* OFC TECHED PAHL\* DWM\* **EDO** IBlaha NAME JFirth/wd **EKraus KMcConnell JAustin MFederline CPaperiello** DATE 6/05/96 6/04/96 6/4/96 6/5/96 6/5/96 6/7/96

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MEMORANDUM TO: Susan Fonner

Office of the General Counsel

FROM:

James L. Blaha

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Specific comments on Attachment:

draft EPA Report

CONTACT: James R. Firth, NMSS/DWM

415-6628

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**DMorris** 

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Susan Fonner

Office of the General Counsel

FROM:

James L. Blaha

Assistant for Operations

Office of the Executive Director for Operations

SUBJECT:

COMMENTS ON PROPOSED REPORT ON THE XMPLEMENTATION OF THE WASTE

ISOLATION PILOT PLANT LAND WITHDRAWAL ACT

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Attachment:

Specific comments on

draft EPA Report

Contact:

James R. Firth, NMSS

415-6628

TICKET: EDO GT96396

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\* See previous concurrence:

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Attachment: Specific comments on

draft EPA Report

Contact: James R. Firth, NMSS

415-6628

TICKET: EDO GT96396

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Susan Fonner

Office of the General Counsel

FROM:

James L. Blaha

Assistant for Operations

Office of the Executive Director for Operations

SUBJECT:

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Attachment: Specific comments on

draft EPA Report

Contact: James R. Firth, NMSS

415-6628

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## SPECIFIC COMMENTS ON THE DRAFT EPA REPORT "IMPLEMENTATION OF THE WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL ACT: 1995 REPORT TO CONGRESS"

Page 1, Paragraph 2, Sentence 1

Change "... which will apply to all spent nuclear fuel, high-level radioactive waste, and transuranic waste disposal facilities (except the proposed repository at Yucca Mountain, Nevada)" to "... which will apply to all spent nuclear fuel, high-level radioactive waste, and transuranic waste disposal facilities not characterized under section 113(a) of the Nuclear Waste Policy Act, as amended, notably the proposed repository at Yucca mountain."

Page 11, Paragraph 2, Sentence 2

Add "... in the accessible environment" before "... does not exceed 15 millirem ...."

Page 11, Paragraph 2, Sentence 3

Insert "... in the accessible environment" before "... to exceed the maximum radionuclide contaminant levels ...."

Attachment