

June 11, 1996

MEMORANDUM TO: Susan Fonner
Office of the General Counsel

FROM: James L. Blaha ^{Original signed by}
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 Land Withdrawal Act: 1995 Report to Congress." The staff recommends three 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 aquifer at a range of other sites.

Attachment: Specific comments on
draft EPA Report

CONTACT: James R. Firth, NMSS/DWM
415-6628

210061

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* See previous concurrence:

DOCUMENT NAME:s:\dwm\pah1\jrf\WIPP.REF

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DATE	6/05/96		6/04/96		6/4/96		6/5/96		6/5/96		6/7/96		6/1/96	

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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