



Department of Energy

Field Office, Albuquerque
P.O. Box 5400
Albuquerque, New Mexico 87115

NOV 16 1992

Dear Colleague:

I am taking this opportunity to update you on recent events and the status of our efforts to initiate the test phase with radioactive waste at the Waste Isolation Pilot Plant (WIPP). Much has happened since our meeting earlier this year.

The compromise WIPP land withdrawal bill was signed into law by the president on October 30, 1992. The passage of the bill represents the culmination of years of efforts by hundreds of hardworking DOE and contractor employees, and citizens of New Mexico. Our Congressional delegation deserves a special thanks for the time and energy they put into the successful passage of acceptable legislation.

Now that the bill is signed into law, there are many prerequisite activities which must be completed before we receive our first shipment to begin tests with radioactive waste at the WIPP facility. We anticipate these activities taking between 10 to 12 months to complete and will be focusing many of our resources toward this effort. Among prerequisites:

- The Environmental Protection Agency (EPA) must issue final radioactive waste disposal regulations within six months of enactment of the bill. Tests at the WIPP must show compliance with this regulation before a determination is made to use the WIPP as a permanent facility;
- WIPP's test and waste retrieval plan, subject to the final standards, must be approved by the EPA in 10 months;
- EPA certifies compliance with no-migration determination terms and conditions; (under the terms of the no-migration determination, DOE must show no hazardous waste will go beyond the WIPP site boundaries during the test phase);
- EPA must ensure waste emplaced for test phase remains retrievable and must certify compliance with disposal regulations. Mine Safety and Health Administration (MSHA) and Nuclear Regulatory Commission (NRC) must certify underground stability and shipping containers, respectively;

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- A safety plan must be reviewed by the Department of Labor through the Occupational Safety and Health Administration (OSHA) and a land management plan must be completed.

Among requirements set forth by the bill concerning transportation are: provide corridor states and tribes with technical support and funding for emergency room training; submit a report to Congress on training provided to date; provide training and review on a regular basis; assist states in acquiring emergency room equipment; develop, fund and monitor WIPP-specific transportation safety programs (other than emergency room/medical training programs) to corridor states and tribes; prepare a study and report on comparison of truck and rail shipment and encourage Governor King to establish a state advisory group comprised of health professionals and other experts.

There are other provisos to be enacted if a decision is made to use the facility as a permanent repository. That decision will not occur for approximately five to seven years. In addition, the bill mandates the state of New Mexico to receive approximately \$15 million per year for 20 years.

I would also like to let you know we very much appreciate your interest in the WIPP project. We have had support from a diverse number of people and organizations. Several resolutions supporting the project were passed by civic, business and legislative organizations throughout the country. Supportive opinion editorials have been published in 14 newspapers across the country, reaching 1.6 million readers. Included in these were editorials by the dean of engineering at Texas A&M and a professor in nuclear engineering and health physics at Georgia Tech.

Again, I wish to thank you for taking the time to learn more about the project. We will continue to keep you posted as we progress toward our radioactive waste experimental program in the WIPP underground. To that end, we will be distributing information on the WIPP on a regular basis in the near future. If you would not like to continue receiving material, please contact us. And as always, Tracy Loughhead (505-845-5977) and I remain available (505-845-4434) should you require further information or have any thoughts which would be of help to us.

Sincerely,



W. John Arthur, III
Project Director
WIPP Integration Project Office