



Department of Energy

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

April 20, 2000

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Mr. Samuel Coleman P.E., Director
Compliance Assurance and Enforcement Division
Mailstop 6EN
U. S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Dear Mr. Coleman:

This letter seeks an EPA determination of acceptability pursuant to the CERCLA off-site rule (40 CFR 300.440) for disposal at the Waste Isolation Pilot Plant (WIPP) of transuranic and transuranic mixed wastes generated by CERCLA activities at sites owned or operated by the United States Department of Energy. Since WIPP is the only facility certified by the EPA for the disposal of transuranic waste, transuranic waste generated by DOE CERCLA actions at other DOE sites must be disposed of at WIPP if it is to be disposed of at all.

The WIPP is currently authorized by EPA to dispose of transuranic radioactive waste pursuant to the EPA certification contained in the final rule issued under 40 CFR Part 194 (63 Fed. Reg. 27354, 1998). WIPP is also authorized to dispose of specified RCRA hazardous wastes mixed with transuranic wastes under permit No. NM 4890139088-TSDF, issued by the State of New Mexico, that became effective in November, 1999. DOE believes WIPP meets the acceptability requirements for accepting CERCLA off-site waste for disposal as set forth in 40 CFR 300.440(b).

If you have questions or need further information to support this request, please contact Harold Johnson of the DOE staff at (505) 234-7349.

Sincerely,

Dr. Inés R. Triay
Manager

cc:
Jim Costello, EPA Region 6
Nick Stone, EPA Region 6
Steve Zappe, NMED

