



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

MAY 2 2006

OFFICE OF
AIR AND RADIATION

Dr. Arjun Makhijani, President
Institute for Energy and Environmental Research
6935 Laurel Avenue, Suite 201
Takoma Park, MD 20912

Dear Dr. Makhijani:

In your March 22, 2006 letter to Elizabeth Forinash, you identified concerns regarding the waste characterization program at the Los Alamos National Laboratory (LANL). You requested that the Environmental Protection Agency (EPA) suspend shipments of transuranic (TRU) radioactive waste to the Waste Isolation Pilot Plant (WIPP) from LANL while EPA investigates the non-destructive assay (NDA) process being used by LANL to ensure that the Department of Energy (DOE) is accurately accounting for the plutonium that is being characterized for disposal at WIPP.

Your letter correctly identified that, in 2003, DOE's Carlsbad Field Office (CBFO) suspended LANL waste shipments to WIPP as the result of inadequacies within LANL's NDA operations. EPA agreed with the actions taken by CBFO. As a result of CBFO's actions, LANL could not resume shipments of TRU waste for disposal at WIPP until corrective actions were taken, a new site certification was issued by CBFO and a new EPA approval was granted.

Following the implementation of corrective measures and an EPA inspection, EPA approved the disposal of contact-handled, debris and solid waste characterized by the LANL Central Characterization Program (CCP) in August 2004. This EPA approval indicated that the LANL-CCP waste characterization program met the technical and legal requirements for the disposal of waste at WIPP.

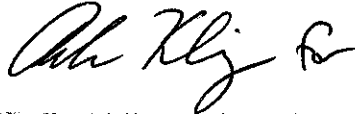
In September 2005, following another inspection of the CCP waste characterization program at LANL, EPA determined that LANL-CCP continues to comply with EPA requirements for waste disposal at WIPP.

EPA regulations require that every waste container emplaced at WIPP is characterized using EPA-approved NDA systems and that the physical, chemical and radiological contents of each container are tracked. DOE demonstrates that they are able to track the quantities and characteristics of the waste that is being emplaced at WIPP through the WIPP Waste Information System (WWIS). This system also enables DOE to

ensure that the characteristics of the waste in the repository are within the limits of the current performance assessment.

EPA is confident that the LANL-CCP program is adequately characterizing and tracking waste for emplacement at WIPP. EPA's next inspection of the waste characterization program at LANL-CCP is scheduled for May 2006.

Sincerely,

A handwritten signature in black ink, appearing to read "Bonnie Gitlin". The signature is fluid and cursive, with a large initial "B" and a stylized "G".

Bonnie Gitlin, Acting Director
Radiation Protection Division

cc: Linton Brooks, Administrator, NNSA
Don Hancock, SRIC
Frank Marcinowski, DOE
David Moody, CBFO
Steve Zappe, NMED