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

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OFFICE OF
AIR AND RADIATION

Mr. Kirk Lachman, Acting Manager
Carlsbad Field Office
U.S. Department of Energy
P.O. Box 3090
Carlsbad, New Mexico 88221-3090

Dear Mr. Lachman:

This letter is in response to your request to continue the canister heater experiment in the Waste Isolation Pilot Plant underground, transmitted via email to the U.S. Environmental Protection Agency on October 2, 2019. In a letter dated March 26, 2019, the EPA expressed concern regarding the conduct of this experiment without, at a minimum, notification prior to startup. Because the prototype canister heater experiment is located outside of previously-designated experimental areas, it is ineligible for the simplified notification process agreed to by the EPA and the U.S. Department of Energy (DOE) in 2003 and requires the Agency's explicit approval.

The EPA has reviewed the completed checklist and references that you provided, together with references gathered as part of the May 2019 site inspection. The Agency finds that these materials contain sufficient information to support the DOE's conclusion that the experiment does not disrupt the facility's ability to safety emplace waste or the certified design of the disposal system. The DOE may therefore continue the test.

The completed experimental checklist is attached (Enclosure 1). The Agency expects to be updated on the progress of the experiment via the Annual Change Report and notified directly prior to any changes to the experiment. As stated in its 2011 approval to mine areas for heater experiments, the Agency likewise must review and approve final plans for any additional heater tests prior to their start. The Agency recommends that any future tests of this nature be conducted in the area mined for this purpose.

For reference, EPA's 2003 letter agreeing to a simplified notification process for experiments, and EPA's 2011 letter approving mining activities for heater experiments are included, as Enclosures 2 and 3, respectively. If you have any questions regarding the enclosed documents, please contact Jonathan Walsh at (202) 343-9238 or walsh.jonathan@epa.gov.

Sincerely,

Lee Ann B. Veal

Lee Ann B. Veal
Director
Radiation Protection Division

Enclosures (3)

cc: George Basabilvazo, DOE CBFO
Mike Brown, DOE CBFO
Russ Patterson, DOE CBFO
Betsy Forinash, DOE HQ
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