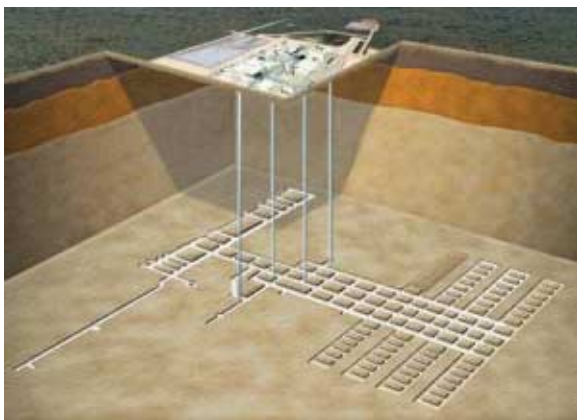


DOENews

DOE Prevails in WIPP Court Case

CARLSBAD, N.M., July 2, 2004 – In a decision issued June 30, 2004, the Federal District Court of New Mexico dismissed the U.S. Department of Energy from a 1999 lawsuit brought by the Citizens for Alternatives to Radioactive Dumping.

This case was filed just days before the DOE's first waste shipment to the Waste Isolation Pilot Plant. In the lawsuit CARD claimed that DOE had violated the National Environmental Policy Act and asked the court to issue an injunction to stop shipment to WIPP. In the decision, Federal Judge M. Christina Armijo dismissed the claim against DOE and affirmed the Department's NEPA process for the Supplemental Environmental Impact Statement used for WIPP's radioactive waste disposal phase. The court's order also precludes CARD from filing additional claims against DOE on the same grounds. The DOE has prevailed in all the court cases filed against it protesting WIPP's opening.



WIPP is the nation's solution for cleaning up defense-generated transuranic waste located at DOE sites across the country. Operational since March 1999, WIPP has received over 2,700 waste shipments; safely disposing more than 21,000 cubic meters of transuranic waste in the repository located nearly one-half mile underground.