



Department of Energy

Carlsbad Field Office
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OCT 29 2008

Jonathan Edwards, Acting Director
Radiation Protection Division
U.S. Environmental Protection Agency
Room 553C
1310 L St, NW
Washington, DC 20005

Subject: Shielded Container Planned Change Request

Dear Mr. Edwards:

This letter is a follow up to our correspondence to your office dated April 30, 2008, regarding the Planned Change Request (PCR) for Shielded Containers that the U.S. Department of Energy Carlsbad Field Office (DOE) submitted to the U.S. Environmental Protection Agency (EPA) on November 15, 2007. This letter and associated enclosures provide additional information related to nuclear safety aspects of envisaged WIPP operations involving shielded containers.

We are submitting this information so EPA can use it in their decision-making process on the PCR, including decision-making associated with 40 CFR Part 191, Subpart A, Environmental Standards for Management and Storage.

U.S. Department of Transportation Type-A Certification of Shielded Containers

Washington TRU Solutions LLC (WTS) designed, tested, and now has certified the shielded containers to DOT standards. Enclosure A to this letter is the Shielded Container Type A Evaluation Report, ECO No. 11834, Rev. 0, hereinafter referred to as the "Certification Document." This Certification Document identifies the analyses, tests, and evaluations performed on the shielded container to demonstrate compliance of the packaging design with the applicable requirements of 49 CFR §178.350. Use of the shielded container as a stand alone DOT 7A Type A packaging requires that compliance with all requirements stipulated in the DOT regulations be set forth in the Certification Document and its appendix, and in the drawing, specification, and handling and operation manual referenced in the document.

Nuclear Safety Assessment of Shielded Containers in the WIPP System of Operations

The WTS Nuclear Safety Department has conducted an assessment of the shielded containers in the context of design basis accidents considered in the WIPP Documented

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Safety Analysis, DOE/WIPP-07-3372 (DSA). The assessment involved evaluation of the engineering design, NRC, and DOT analyses and documentation associated with the shielded containers, and an assessment of the nuclear safety performance of the shielded containers in the context of postulated accident scenarios involving breached containers and fires.

The nuclear safety assessment of shielded containers, included with this letter as Enclosure B, concludes that shielded containers can be safely incorporated into the current WIPP system of operations for CH waste. Based on this nuclear safety assessment of shielded containers, the WIPP project is proceeding with documenting this safety analysis, and preparing the necessary changes for the WIPP DSA, and will seek DOE headquarters approval of said changes in order to allow the facility to receive and handle shielded containers.

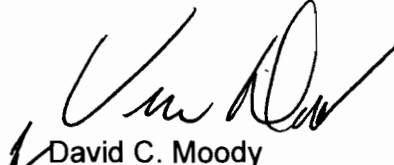
Environmental Standards for Management and Storage, 40 CFR Part 191

The PCR for shielded containers submitted to EPA on November 15, 2007, along with additional information DOE has provided to EPA, including this letter and enclosures, show that:

1. management and storage of shielded containers at WIPP can be conducted in a manner as to provide reasonable assurance that the performance standard at 40 CFR 191, Subpart A will be met,
2. disposal of shielded containers at WIPP can be accomplished in a manner as to provide reasonable assurance that the environmental standards for disposal (containment and individual protection) at 40 CFR 191, Subpart B, will be met, and,
3. disposal of shielded containers at WIPP can be accomplished in a manner as to provide reasonable assurance that the environmental standards for groundwater protection at 40 CFR 191, Subpart C, will be met.

If you or your staff have any questions regarding the information contained in this letter, please contact Russ Patterson at (575) 234-7457.

Sincerely,



David C. Moody
Manager

Enclosure

Jonathan Edwards

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cc: w/enclosures

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