

**BRIEF SUMMARY OF  
WIPP STRATEGIC PLAN Operations Through 2050  
June 27, 2016**

**CONCLUSION: SRIC opposes raising the legal limit of the amount of defense transuranic (TRU) nuclear waste that can be disposed in the “Pilot Plant,” since it has always been known that additional repositories would be necessary for TRU waste that will be generated from continuing nuclear weapons production. SRIC also strongly objects to taxpayers paying for developing a Plan that implicitly promotes breaking the law and exceeding the legal limit. The Plan does not disclose those results.**

**Background:** The 2016 WIPP Strategic Plan was written by Nuclear Waste Partnership (NWP), the operating contractor, and commissioned by the Department of Energy (DOE) Carlsbad Field Office (CBFO). NWP was paid an undisclosed amount to produce the Plan and received a \$250,000 Performance Based Incentive bonus for submitting the Plan to CBFO.<sup>i</sup> The Plan was publicly released on September 26, 2017, in response to a Freedom of Information Act request by Southwest Research and Information Center (SRIC).

SRIC objected to the Plan being done and a bonus being provided because the activity does not relate to current safety issues at the contaminated facility, and it presumes that DOE will operate WIPP until 2050 and emplace significantly more defense transuranic (TRU) nuclear waste than the legal limit established by the WIPP Land Withdrawal Act (LWA) of 1972. The law limits WIPP to a total capacity of 6.2 million cubic feet (175,564 cubic meters (m<sup>3</sup>)) of TRU waste.<sup>ii</sup> DOE’s January 22, 1981 Record of Decision limited Remote-Handled (RH) waste to 250,000 cubic feet (7,079 m<sup>3</sup>), leaving a Contact-Handled (CH) waste capacity of 168,485 m<sup>3</sup>.

When WIPP stopped receiving shipments in February 2014, there were 90,627 m<sup>3</sup> of CH waste emplaced underground and 164 m<sup>3</sup> in the Waste Handling Building on the surface. Thus, remaining CH capacity was 77,694 m<sup>3</sup> [168,485 – 90,627 – 164]. The Plan assumes that a normal shipment is five 7-pack equivalent units (p. 17), which is 7 m<sup>3</sup> per shipment. Thus, there would be 11,100 CH shipments to reach the legal limit.

The Plan states that contaminated Panel 7 will be filled by Fiscal Year (FY) 2022 (p. 19). Waste shipments then could increase to 12 per week and emplacement could ramp up in the uncontaminated areas of the mine even without “future process efficiencies.” At 12 CH shipments per week for 43 weeks a year, there would be 516 annual shipments. Between FY 2017 and FY 2022, the Plan states that there would be 1,539 shipments (p. 21). If there were then 516 shipments per year between FY 2023 and 2050, that would number 14,448 shipments, for a total by FY 2050 of 15,987 shipments or 111,909 m<sup>3</sup> of CH waste. Thus, WIPP’s legal limit would be exceeded by 34,215 m<sup>3</sup> [111,909 – 77,694] or more than 20 percent! The legal limit would be reached in FY 2041.

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<sup>i</sup> [http://www.wipp.energy.gov/NWPPayments/NWP/FY16\\_Fee\\_Determination\\_Scorecard\\_17-0285.pdf](http://www.wipp.energy.gov/NWPPayments/NWP/FY16_Fee_Determination_Scorecard_17-0285.pdf). P. 6.

<sup>ii</sup> Public Law 102-579, Section 7(a)(3).