



Department of Energy
Savannah River Operations Office
P.O. Box A
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JUN 15 2000



Mr. Steve Zappe
New Mexico Environment Department
Hazardous and Radioactive Materials Bureau
2044A Galisteo Street
Santa Fe, NM 87505

Dear Mr. Zappe:

SUBJECT: Savannah River Site (SRS) Citizens Advisory Board (CAB) Support of
Carlsbad Area Office WIPP RCRA Permit Modification (Miscertification
Rate on a Waste Stream Basis)

As requested, I am forwarding to you SRS CAB Recommendation #125, which supports
the Carlsbad Area Office WIPP RCRA Permit Modification on the Miscertification Rate
on a Waste Stream Basis. Please see the enclosed recommendation for the SRS CAB's
input to your public comment record.

If you have any questions, please call me or Dale Ormond at (803) 725-8013.

Sincerely,

Greg Rudy
Manager

OB-00-044

Enclosure:
CAB Recommendation #125

bc:
Manager's Reading File
AMEP Reading File
AMEP Reading File
WOD Reading File
Gerri Flemming, PM&CD
Dawn Haygood, WSRC (CAB Files)
FILE CODE: 1210.05.01

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Savannah River Site
Citizens Advisory Board

Recommendation No. 125

**WIPP RCRA Permit Modification
(Miscertification Rate on a Waste Stream Basis)**

Background

In April of this year, DOE requested that New Mexico Environmental Department (NMED) revise its Waste Isolation Pilot Plant (WIPP) RCRA Part B Permit in two separate modification requests. Of particular interest to the SRS Citizens Advisory Board (CAB), is the second modification request submitted on April 20, 2000. This request petitioned NMED to modify specific permit provisions that guide waste characterization and certification (Ref. 1 and Ref. 2).

The SRS CAB is interested in this modification because it directly relates to the Board's attempt to modify the WIPP RCRA Part B Permit via two separate recommendations. These recommendations requested a more realistic approach to Transuranic (TRU) waste drum visual examination requirements and the miscertification rate (Ref. 3 and Ref. 4). The number of drums that must undergo visual examination is statistically based on a miscertification rate. This miscertification rate is based on the number of miscertified drums. In the last recommendation (Ref. 4), the SRS CAB requested that NMED:

"Modify the RCRA Part B permit's TRU waste visual examination requirement from an assumed miscertification rate of 11 percent to the DOE's requested one percent. The current requirement will force DOE to open and visually examine an excessive number of TRU waste drums with no significant increase in waste characterization accuracy, but with a significant, and unnecessary increase in risk to the worker's health and safety."

The current WIPP Part B Permit states in Section B-1b that: "Once a waste stream has been delineated, generator/storage sites will assign a Waste Matrix Code to the waste stream based upon the physical form of the waste. Waste streams are then assigned to one of three broad Summary Category Groups; S3000 - Homogeneous Solids, S4000-Soils/Gravel, and S5000-Debris Wastes. These Summary Category Groups are used to determine further characterization requirements". DOE contends that the Permit intends for the Summary Category Groups to take precedence over specific waste stream definition. Furthermore, in DOE's petition to modify the Permit, DOE believes that using miscertification rates based on the Summary Category Group designation provides assurances that waste forms that are likely to be miscertified will be subject to more visual examination than those that are less likely to be miscertified.

Therefore, DOE is requesting that sites may establish a site-specific miscertification rate by characterizing a lot of no less than fifty containers in a single Summary Category Group at the initial 11% miscertification rate instead of "a waste stream or waste stream lot". DOE has not requested a change in the initial assumed 11% miscertification rate. It is believed that TRU wastes at SRS would be classified in the S5000-Debris Wastes Summary Category Group. This requested modification would provide some relief to the number of drums requiring visual examination after the initial inspections. Visual examinations will still have to be performed on all drums in the initial shipments to WIPP.

Comments

The Board is pleased to see that DOE has requested this modification and has incorporated some of its previous concerns. However, the SRS CAB does not believe that the current DOE permit modification request goes far enough in its attempt to rectify the miscertification and visual examination issue. The SRS CAB would still like to see DOE request a change in the initial assumed miscertification rate of 11 percent to DOE's originally requested 1 percent. The CAB remains concerned that the RCRA Permit requires too much visual, and intrusive examinations to assay the container contents. These assays are unnecessary and pose a danger to SRS workers.

Recommendation

Therefore, the SRS CAB recommends the following:

1. The SRS CAB supports the requested modifications to the miscertification rate on a waste stream basis.
2. DOE request an additional WIPP Part B Permit modification to change the initial assumed miscertification rate of 11 percent to DOE's 1 percent as soon as possible.

References

1. WIPP RCRA Documents - Class 2 Mods for Comment, May 1, 2000, WIPP Homepage:
www.wipp.carlsbad.nm.us
2. Transuranic Waste Update: Waste Isolation Pilot Plant (WIPP) Resource Conservation & Recovery Act (RCRA) Permit, presentation to the CAB WM Committee by Sonny Goldston, May 9, 2000
3. SRS CAB Recommendation No. 77, (adopted January 26, 1999), "WIPP RCRA Part B Permit"
4. SRS CAB Recommendation No. 111, (adopted January 25, 2000), "WIPP RCRA Part B Permit/Transuranic (TRU) Waste"