

JULY 5 - 9:00 w/ JODY
PC: ?

Date: June 29, 2000
To: James Bearzi, Paul Ritzma, NMED
From: Jody Plum, DOE/CAO
Subject: Discussion Topic Information for June 30, 2000 Conference Call

Please find attached DRAFT documents that provide information regarding current, ongoing submissions and those planned to be submitted to NMED by DOE/CAO for action through calendar year 2002. It is believed that this information will assist the NMED in its understanding of the needs of WIPP and other TSD operators in the State of New Mexico. Further, this should provide support to NMED's ongoing efforts to anticipate its resource loading requirements, scheduling and management to measure outcome performance, and support the development of budgetary requests to the legislature. Please note that this information is submitted to you as a pre decisional draft document for discussion purposes to support NMED's efforts to improve its programs. If this information is determined to be useful to NMED for the purposes stated, we will formally submit this information to you in the format desired.

We have also been in contact with Renee Martinez, CIO and received a copy of the IDEA Project. We are encouraged with the initiatives being taken and would like to discuss how DOE might best support this initiative.

During this meeting, we would also appreciate an the status for following issues of great importance to DOE/CAO:

- Determination of adequacy of pre-existing data for the Hanford Reservation.
- Completion of permit modifications submitted April 20, 2000 before the stay expires July 20, 2000.
- Determination of the Final Audit Report on Debris Waste for the Idaho National Engineering and Environmental Laboratory.

We look forward to meeting with you tomorrow.

000652



TASK PRIORITIES

2nd Quarter, CY 2000

- **Determination of adequacy of pre-existing data—Hanford Reservation—Pending NMED comments**
- **Letter confirming acceptability to dispose asbestos—Pending receipt of letter**

3rd Quarter, CY 2000

- **Determination of Final Audit Report on Debris Waste, INEEL—Pending NMED Response, 7-14-00**
- **Complete April 20, 2000 Permit modifications before stay expires, preferably by July 20, 2000, when the stay entered by the federal court expires.**
- **Complete the LANL audit—8-21-00**
- **Permit Modifications**
 - **Reword previous Class 1 permit modifications to accommodate NMED comments—Submittal to NMED 7-6-00**
 - **Revise leak check requirements for headspace gas sampling summa canisters and manifold systems.— Submittal to NMED 7-6-00**
 - **Construction and operation of waste characterization facility at the WIPP, including combining data validation and verification at the project and Permittee level and elimination of the Audit Program for on-site characterization. Submittal to NMED 7-6-00.**
 - **Obtain authorization for PCB waste disposal**
 - **Coordinate with EPA Region 6 on a MOA among EPA Regional offices and EPA HQ—Submittal to EPA 7-14-00**
 - **INEEL composite sampling system— Submittal to NMED 7-15-00**
 - **Eliminate filter vent requirements.— Submittal to NMED 7-15-00**
 - **Revise drum age criteria using look-up table and/or prediction factors.— Submittal to NMED 7-31-00**
 - **Obtain authorization to receive RH waste—(2 modification packages, one for Facility, one for WAP) Submittal to NMED 8-2000**

- Resolution of Groundwater Background Adequacy—Submittal to NMED 8-15-00
- Groundwater Monitoring Report—Submittal to NMED 8-15-00
- Simplify the requirements for AK— Submittal to NMED 8-31-00
- Obtain authorization to dispose of WIPP-generated hazardous waste— Submittal to NMED August or September 2000
- Modify procedures and forms from the permit.— Submittal to NMED 9-2000
- Submit Class 1 modification for PCB Waste disposal— Submittal to NMED 9-1-00
- Allow use of old data obtained prior to implementation of the permit characterization program.— Submittal to NMED 9-30-00
- Resolve FTIR Issues: delete addition QC sample to be analyzed by GC/MX as verification; increase approved leakage rate from 1 to 10 nm/s of Hg (include in revision to SW-846); establish reporting levels for TICs.— Submittal to NMED 09-30-00
- Eliminate the distinction between newly generated waste and retrievably stored waste as the basis for determining characterization processes.— Submittal to NMED 9-30-00

4th Quarter, CY 2000

- Permit Modifications
 - Reduce radiography requirements to a statistical program.— Submittal to NMED 10-31-00
 - Change design for panel closure. Determine acceptability to use Salt Saturated Concrete in place of Salado Mass Concrete, awaiting class determination from NMED
 - Reissue revised WIPP Operating Permit—NMED action anticipated 12-00
 - Use of a phased approach to minimize/eliminate homogenous waste sampling and analysis are appropriate.— Submittal to NMED 12-31-00

1st Quarter, CY 2001

- Terminate the RFI/CMS process for 15 SWMUs and 8 AOCs— Submittal to NMED 1st Quarter CY 2001

3rd Quarter, CY 2001

- Obtain authorization to use electronic manifests and electronic records.—
Submittal to NMED 8-2001

4th Quarter, CY 2001

- Flexibility in meeting RCRA training and reduction in record keeping requirements.— Submittal to NMED 12-2001
- Modify permit requirements associated with inspections to conform with new EPA standards— Submittal to NMED 12- 2001

1st Quarter, CY 2002

- Eliminate VE requirements that verify radiography of waste containers through implementation of a PDP for RTR or developing an alternative verification process.— Submittal to NMED 3-2002

4th Quarter, CY 2002

- Eliminate all Headspace Gas Sampling requirements as the result of VOC monitoring at WIPP— Submittal to NMED 10-31-02

DRAFT

PRIVILEGED AND CONFIDENTIAL
PREPARED FOR LITIGATION

WIPP JUDICIAL AND ADMINISTRATIVE ACTIONS

Appeal of Permit Provisions in Federal Court	Appeal of Permit Provisions in State Court	Request to NMED to Stay Permit Provisions pending Judicial Appeals	Administrative Compliance Order (Rocky Flats Waste Stream RF005.01)
<p>Nov. 3, 1999: DOE's complaint filed</p> <p>Nov. 19, 1999: Complaint served on NMED, NMAG and Governor</p>	<p>Nov. 12, 1999: SWRIC et al.'s notice of appeal filed</p> <p>Nov. 16, 1999: DOE's notice of appeal filed. On its own motion, NM Court of Appeals consolidates DOE's and SWRIC's appeals</p> <p>Nov. 22, 1999: DOE's motion to stay appeal in state court filed</p> <p>Nov. 29, 1999: Tod Rockefeller files his notice of appeal</p>	<p>Nov. 22, 1999: DOE and WID's motion to stay 5 permit provisions pending appeal filed with NMED</p>	<p>Nov. 30, 1999: NMED issues order with corrective action requirements</p>
<p>Dec. 14, 1999: NMAG files motion to dismiss appeal in federal court</p> <p>Dec. 27, 1999: DOE files first amended complaint, which adds claim based on recent federal legislation prohibiting imposition of financial assurance requirements on DOE contractors at WIPP.</p>	<p>Dec. 24, 1999: Rockefeller files his docketing statement (i.e., a short discussion of issues party is appealing and a list of pertinent authorities)</p> <p>Dec. 30, 1999: DOE and SWRIC file their docketing statements</p>	<p>Dec. 28, 1999: NMED, SWRIC and Bonneau file responses opposing DOE & WID's request to stay provisions</p>	<p>Dec. 16, 1999: DOE & WID file answer and request for hearing</p> <p>Dec. 22, 1999: NMED grants motion for emergency stay of corrective action requirements</p>
<p>Appeal of Permit</p>	<p>Appeal of Permit</p>	<p>Request to NMED to</p>	<p>Administrative</p>

DRAFT

PRIVILEGED AND CONFIDENTIAL
PREPARED FOR LITIGATION

WIPP JUDICIAL AND ADMINISTRATIVE ACTIONS

Provisions in Federal Court	Provisions in State Court	Stay Permit Provisions pending Judicial Appeals	Compliance Order (Rocky Flats Waste Stream RF005.01)
	<p>Jan. 7, 2000: NMED & SWRIC file their oppositions to DOE's motion to stay</p> <p>Jan. 19, 2000: Court issues order staying the filing of the record until 15 days after a decision on DOE's motion for a stay</p>	<p>Jan. 21, 2000: NMED denies motion to stay permit provisions; DOE may now appeal the denial if it chooses to do so</p>	
<p>Feb. 1, 2000: DOE filed opposition to NMED's motion to dismiss</p>	<p>Feb. 1, 2000: DOE filed reply in support of its motion to stay the appeal in state court</p> <p>Feb. 7, 2000: Court denies NMED and SWRIC's requests to file surreply briefs opposing DOE's motion to stay</p> <p>Feb. 17, 2000: NMED files motion for reconsideration of its request to file a surreply brief; court grants motion and accepts NMED's surreply</p>	<p>At this point, nothing more will happen as to this request unless DOE appeals denial to a court, which appears unlikely</p>	<p>Feb. 11, 2000: Settlement conference</p> <p>Feb. 22, 2000: Matter settled by entry of Stipulated Final Order; order requires DOE to pay \$75,000 by March 13 for review of waste documentation for RFETS shipments as agreed to in the MOA of June 16, 1999</p> <p>Feb. 29, 2000: DOE sends \$75,000 to NMED</p> <p>At this point, Order is terminated and no other actions on this matter are anticipated</p>

Appeal of Permit Provisions in Federal Court	Appeal of Permit Provisions in State Court
<p>March 1, 2000: NMED filed its reply on its</p>	

DRAFT

PRIVILEGED AND CONFIDENTIAL
PREPARED FOR LITIGATION

WIPP JUDICIAL AND ADMINISTRATIVE ACTIONS

<p>motion to dismiss</p> <p>March 15, 2000: DOE and NMED filed Stipulation requesting 120-day stay to allow DOE to submit four permit modifications</p> <p>March 22, 2000: Court enters 120-day stay; expires on July 20th</p>	<p>March 15, 2000: DOE and NMED filed Stipulation requesting 120-day stay to allow DOE to submit four permit modifications</p> <p>March 16, 2000: SWRIC files motion for leave to file opposition to DOE and NMED's request for a stay; Court grants request</p> <p>March 23, 2000: DOE files motion for reconsideration of order allowing SWRIC to oppose stay</p>
<p>April 20, 2000: DOE formally submits to NMED the four permit modifications discussed in the stay request</p>	<p>April 3, 2000: SWRIC files opposition to request for stay</p> <p>April 7, 2000: DOE files response to SWRIC's opposition to stay</p> <p>April 18, 2000: Court enters 120-day stay; expires on August 16</p> <p>April 20, 2000: DOE formally submits to NMED the four permit modifications discussed in the stay request</p> <p>April 21, 2000: DOE files motion to clarify paragraph in Court's order concerning submission of other permit modification during the stay</p> <p>April 25, 2000: NMED confirms classifications of proposed modifications (issues corrected version on May 1)</p>
<p>Appeal of Permit Provisions in Federal Court</p>	<p>Appeal of Permit Provisions in State Court</p>

DRAFT

PRIVILEGED AND CONFIDENTIAL
PREPARED FOR LITIGATION

WIPP JUDICIAL AND ADMINISTRATIVE ACTIONS

	<p>May 2, 2000: SWRIC files a request with Secretary Maggiore to stay the effectiveness of the Class 1 modification to Permit Condition IV.B.2.b</p> <p>SWRIC files a notice of appeal regarding this modification</p> <p>May 9, 2000: SWRIC requests to stay its appeal during the stay of DOE's appeal (court grants this motion on May 23)</p> <p>May 10, 2000: Court amends order granting DOE's stay to remove prohibition against other modifications</p> <p>Secretary Maggiore denies SWRIC's request to reject the Class 1 modification to Permit Condition IV.B.2.b</p> <p>SWRIC files motion to stay effectiveness of modification to this permit condition with court</p> <p>May 23, 2000: DOE and WID file opposition to stay motion before Secretary Maggiore</p> <p>May 25, 2000: NMED files opposition to SWRIC's judicial appeal and motion for stay</p>
[June]	[June]
July 20, 2000: Stay entered by federal court ends	
	August 16, 2000: Stay entered by state court ends

Revised: May 31, 2000

Hazardous Waste Facility Permit Related Audits Planned Through September 2001

Site	Audit Scope	Audit Dates	Initial Audit Report Issued	Final Audit Report Issued	Comments
LANL	WAP Debris	08/21/2000 - 08/25/2000	09/25/2000	09/25/2000 *	This audit is currently scheduled.
RFETS	Homogeneous Solids, Repackaged Debris	09/18/2000 - 09/22/2000	10/22/2000	10/22/2000 *	This audit is currently scheduled. The final audit report will be limited to solid sampling and analysis and repackaging.
INEEL	Homogeneous Solids	10/16/2000 - 10/20/2000	10/20/2000	11/20/2000 *	These dates are tentative. The final audit report will be limited to solid sampling and analysis.
WID	Central Characterization Facility	10/16/2000 - 10/20/2000	11/20/2000	11/20/2000 *	These dates are tentative.
Hanford	Homogeneous Solids and Newly Generated Waste	11/06/2000 - 11/10/2000	12/10/2000	12/10/2000 *	These dates are tentative. The final audit report will be limited to solid sampling and analysis, and newly generated waste.
Savannah River	WAP Debris	12/11/2000 - 12/15/2000	01/15/2001	01/15/2001 *	This audit is currently scheduled.
RFETS	Annual Recertification	01/22/2001 - 01/26/2001	02/26/2001	Not Required	This audit is currently scheduled.
Hanford	Annual Recertification	02/12/2001 - 02/16/2001	03/16/2001	Not Required	These dates are tentative.
LANL	Homogeneous Solids	04/09/2000 - 04/13/2001	05/13/2001	05/13/2001 *	These dates are tentative. The final audit report will be limited to solid sampling and analysis.
INEEL	Annual Recertification	05/07/2001 - 05/11/2001	06/11/2001	06/11/2001 *	These dates are tentative.
LANL	Annual Recertification	08/20/2001 - 08/24/2001	09/24/2001	Not Required	These dates are tentative.

DRAFT

* Issuance of the final audit report is dependent on the extent of corrective actions required as a result of the audit. The report could be issued earlier or later than indicated.

DRAFT

Permit Modification Status 6/26/00

Action	Status	Schedule	NMED/WIPP Resources	Priority	Issues/Comments
<p>³Obtain authorization for waste characterization facility at the WIPP (WCW)</p>	<p>Preparing the following package:</p> <ul style="list-style-type: none"> • Class 2 Permit Modification which includes the following items: increased storage capacity and storage time; receipt of uncharacterized waste; reduced AK and QA/QC requirements; and removal of the audit requirement at WIPP. • Class 1 Permit Modification which includes the following items: removal of the decon. enclosure; modification to Building 412; • Notification to NMED that building modifications will take place in the overpack and repair room and in the site generated waste room. • Temporary Authorization request to allow receipt and storage of uncharacterized waste. <p>Regulatory Basis: (40 CFR 270.42, App. I, B.1.d)</p> <p>Early draft copies provided to NMED per agreement on May 16, 2000.</p> <p>Comment resolution meeting held June 15, 2000.</p> <p>CAO met with NMED on June 16, 2000 and discussed the scope of the modification request.</p> <p>Revised draft documents submitted to CAO June 21, 2000.</p>	<p>Submit to NMED June 29, 2000.</p>		<p>1/A</p>	<p>During the June 16, 2000 meeting between NMED and CAO, NMED requested WIPP to carefully evaluate NMED findings of fact to make the appropriate decision regarding submittal of the modification that removes the audit report.</p> <p>Must address issues in accordance with 40 CFR 194 Appendix A and Compliance Baseline.</p>

¹ Dates shown for submittal to NMED are tentative.

² Priority Codes: Numbers 1 through 3 represent, from highest to lowest, the value to the program (increased throughput, lowered cost, compliance assurance). Letters A through C Represent whether submittal to the NMED is anticipated within 1 month, 6 months, or greater than 6 months, respectively.

³ Waste characterization facility at WIPP, RH Waste Analysis Plan, and WIPP generated waste disposal are "WAP related".

DRAFT

Permit Modification Status 6/26/00

Action	Status	Schedule	NMED/WIPP Resources	Priority	Issues/Comments
Reword previous Class 1 permit modifications to accommodate NMED comments	<p>Revised Class 1 modifications provided to CAO for review June 19, 2000. Incorporating CAO comments week of June 19, 2000.</p> <p>Next red team review of modifications June 26, 2000.</p> <p>Regulatory Basis: 40 CFR 270.42, App.I, various</p>	Resubmit Class 1 permit modifications June 26, 2000.		1/A	NMED has indicated that without the changes in text it would not consider some of these modifications to be Class 1 changes.
Support continuing operation changes that affect current permit language.	<p>RCRA Permit Change Request forms undergoing CAO review.</p> <p>40 CFR 270.42, App.I, various</p>	Submit Class 1 package to NMED June 2000.		1/A	None.
Obtain authorization for asbestos waste disposal (not a permit modification issue).	<p>NMED appears to confirm acceptability of this waste stream at WIPP. No action required.</p> <p>Regulatory Basis: Asbestos regulated separately from WIPP HWFP.</p>	Awaiting letter from NMED; anticipated by June 23, 2000.		1/A	None.
Obtain authorization for PCB waste disposal	<p>Participated in phone meetings with INEEL and DOE HQ to finalize format for data call to generator sites.</p> <p>Data call was forwarded to sites on June 20, 2000. Responses are due by June 29, 2000.</p> <p>Regulatory Basis: PCB Mega Rule, 40 CFR 761.61 and .62</p> <p>Will need to coordinate with EPA Region 8 on a MOA among EPA Regional offices and EPA HQ and submit permit modification.</p>	<p>Submit results from site data call to the EPA by July 14, 2000.</p> <p>Submit Class 1 permit modification October 2000.</p>		1/B	<p>Permit modification should be submitted to coincide with receipt of EPA authorization. NMED has indicated that they will not consider the request prior to this.</p> <p>Anticipate submittal to EPA of results from site data call by July 14, 2000. Anticipate submittal of modification request August 14, 2000.</p>

DRAFT

Permit Modification Status 6/26/00

Action	Status	Schedule	NMED/WIPP Resources	Priority	Issues/Comments
<p>Obtain authorization to receive RH waste.</p>	<p>Preparing the following package:</p> <ul style="list-style-type: none"> • Class 2 modification request including the following items: removal of the prohibition on RH waste disposal; Insertion of a new waste analysis plan for RH waste. • Class 2 modification request providing for RCRA required training, inspections, and design specifications of the WIPP facility modifications. <p>Regulatory Basis: (40 CFR 270.42, App.I, B.1.d; B.4; other sections)</p> <p>Held conference call with generator sites June 12, 2000 and a WIPP comment resolution meeting on the facility modification on June 15, 2000.</p> <p>Submitted supplemental questionnaire to the sites to support revision to SARP.</p> <p>Finalized schedule for developing RH authorization basis documents.</p> <p>Finalized tables listing comprehensive characterization requirements for RH (as it is and as it should be).</p> <p>Continuing to develop presentation materials for "RH Road Show"</p> <p>Met with Chem Nuc and BCS representatives on June 22, 2000.</p>	<p>Internal review of WAC, WAP, and red team review June 27, 2000.</p> <p>Submit WAP and WAC for generator site review on June 30, 2000.</p> <p>Resolve site comments July 17-21, 2000.</p> <p>Meet with generator sites, TDEC, EEG, EPA, and NMED week of July 24, 2000.</p> <p>Submit modification requests to NMED August 2000.</p>		<p>1/B</p>	<p>Further analysis being directed at the potential for use of the CNS 10-160B both at WIPP and at the other sites.</p> <p>RH facility modification must be congruent with what is being requested in the modification to support waste characterization at WIPP; i.e., the allowable storage in the parking area must be adequate to support both activities.</p> <p>RH facility modification must incorporate facility process description for handling the CNS 10-160B.</p>
<p>Terminate the RFI/CMS process for 15 SWMUs and 8 AOCs listed Permit, Module VII.</p>	<p>Not initiated. Will develop Class 3 permit modification request after completing sampling (Sampling and Analysis Plan, DOE/WIPP 00-2014, Rev. 0), submittal of a No Further Action request and receipt of NMED concurrence.</p>	<p>Submit Class 3 permit modification request first quarter of CY</p>		<p>1/C</p>	<p>None</p>

DRAFT

Permit Modification Status 6/26/00

Action	Status	Schedule	NMED/WIPP Resources	Priority	Issues/Comments
	Regulatory Basis: 40 CFR 270.42.	2001.			
Obtain authorization to dispose of WIPP-generated hazardous waste	Awaiting legal determination that activity will be allowed in compliance with the Land Withdrawal Act. Once determination is received a Class 2 modification request will be prepared. Regulatory Basis: 40CFR 270.42(d)(1)	Submit Class 2 modification August or September 2000		2/B	Cost-benefit analysis needed. Also we must develop a waste analysis plan, and determine whether "treatment" of these wastes must occur to meet LDRs and if so, whether this treatment would need to be permitted.
Remove prescriptive procedures and forms from the permit.	Not initiated. NMED determination of Class will be required. Will request that NMED process as a Class 1 change. (List of affected procedures is provided as an attachment). Regulatory Basis: 40 CFR 270.42 (d)(1)	Submit with a request for determination September 2000		2/B	Need to determine the best method to obtain NMED concurrence with this modification
Change design for panel closure. Determine acceptability to use Salt Saturated Concrete in place of Salado Mass Concrete.	Not initiated. Information needed for schedule development: when first panel seal will be required, and 2) what data must be collected from SNL evaluations. Regulatory Basis: 40 CFR 270.42 (d)(1)	Submit Class 2 Permit Modification Request TBD		2/B	None
Perform regulatory evaluation of EPA Advance Notice of Rulemaking, 40 CFR 268, and Land Disposal Restrictions.	Forming team from the National TRU Steering Committee to review and prepare consolidated comments. Rule has the potential to reduce compliance requirements for mixed waste. Although waste disposed of at WIPP is exempt from the land disposal restrictions, some sites must treat their waste to meet state-imposed treatment plans.	Comments to be submitted to the EPA before September 18, 2000.		2/B	None

DRAFT

Permit Modification Status 6/26/00

Action	Status	Schedule	NMED/WIPP Resources	Priority	Issues/Comments
Perform regulatory evaluation of revised 40 CFR 194 WIPP Compliance Criteria.	<p>Awaiting EPA final rule making, anticipated June 2000, to begin evaluation. Rulemaking to limit Impacts of public involvement in compliance certification process.</p> <p>Regulatory Basis: New rulemaking</p>	Perform evaluation upon receipt of final rule. Implement resulting procedural changes within 3 months.		3/B	None
Reduce RCRA training and record keeping requirements.	<p>Awaiting EPA issuance of new rulemaking and NMED adoption of rule or legal interpretation that modification request can be submitted prior to that time.</p> <p>EPA issuance date is anticipated 12/00. NMED adoption of new rule may take 1-3 years from then.</p> <p>Regulatory Basis: 40 CFR 270.42, App.I.B.5.a</p>	Submit Class 2 modification request December 2001.		3/C	None
Reduce requirements for inspections.	<p>Awaiting EPA issuance of new rulemaking and NMED adoption of rule or legal interpretation that modification request can be submitted prior to that time.</p> <p>EPA issuance date is anticipated 12/00. NMED adoption of new rule may take 1-3 years from then</p> <p>Regulatory Basis: 40 CFR 270.42, App.I, B.4</p>	Submit Class 2 modification request December 2001.		3/C	None
Obtain authorization to use electronic manifests and electronic records.	<p>Awaiting EPA issuance of new rulemaking and NMED adoption of rule or legal interpretation that modification request can be submitted prior to that time.</p> <p>EPA issuance date is anticipated 08/00. NMED adoption of new rule may take 1-3 years from then.</p> <p>Regulatory Basis:</p>	Submit Class 1 Permit Modification August 2001.		3/C	None

DRAFT

Permit Modification Status 6/26/00

Action	Status	Schedule	NMED/WIPP Resources	Priority	Issues/Comments
	40 CFR 270.42. App. I, B.4				
Eliminate filter vent requirements.	Increases operational flexibility, Awaiting WWIS programming to allow filter information to be input into WWIS as a parameter. Regulatory Basis: 40 CFR 270.42(d)(1)	Submit Class 1 modification July 15, 2000		3/A	Increases operational flexibility.
Use a phased approach to minimize/eliminate homogenous waste sampling and analysis as appropriate.	Tasked to Benchmark Regulatory Basis: 40 CFR 270.42, APP.I, 8.1.d	Submit Class 2 modification 12-31-00		3/B	Base a modification request on the following: 1) Lack of need for the data, and 2) Quality of AK being generated by the sites.
Allow use of old data obtained prior to implementation of the permit characterization program	Regulatory Basis: 40 CFR 270.42 (d) (1)	Submit modification by 9-30-00, provided the NMED has provided a class determination.		3/B	May significantly increase availability of waste for shipment.
Eliminate all Headspace Gas Sampling requirements as the result of VOC monitoring at WIPP	Regulatory Basis: 40 CFR 270.42 App. I, B.1.d	Submit Class 2 modification by 10-31-2000		3/C	
Resolve FTIR issues: delete addition QC sample to be analyzed by GC/MS as verification; increase approved leakage rate from 1 to 10 nm/s of Hg (Include in revision to SW-846); establish reporting levels for TICs	Regulatory Basis: 40 CFR 270.42 App. I, B.1.d	Submit Class 2 modification September 30, 2000		3/B	Increases operational flexibility.

DRAFT

Permit Modification Status 6/26/00

Action	Status	Schedule	NMED/WIPP Resources	Priority	Issues/Comments
Simplify the requirements for AK	Regulatory Basis: 40 CFR 270.42 App. I, B.1.d	Submit Class 2 modification August 31, 2000		3/B	Increases operation flexibility and reduces to overall burden to sites associated with the audit program.
Waste characterization facility at the WIPP, including elimination of the project level v&v and first phase of implementing a fingerprinting program (vs. a certification audit program.)	Preparatory Regulatory Basis: 40 CFR 270.42 App. I, B.1.d	Submit Class 2 modification June 29, 2000		1/A	Eliminates cost of ramp-up and audit at all SQS. Requesting a temporary authorization to begin construction and operation of the new facility prior to processing modification request.
Eliminate the distinction between newly generated waste and retrievably stored waste as the basis for determining characterization processes.	Tasked Regulatory Basis: 40 CFR 270.42 App. I, B.1.d	Submit class 2 modification September 30, 2000.		3/C	Increases operational flexibility at the site to determine at what end of the program they wish to implement characterization.
Reduce radiography requirements to a statistical program	Tasked Data being collected on RTR results from the generator sites. Regulatory Basis: 40 CFR 270.42, App. I, B.1.d	Submit Class 2 modification October 31, 2000.		3/C	
WIPP generated waste disposal	Class TBD by NMED Awaiting legal determination that disposal of WIPP generated hazardous waste would be allowed pursuant to the LWA. Need to perform cost-benefit analysis. Regulatory Basis: 40 CFR 270.42(d)(1)	Submit with request for determination.		2/C	

DRAFT

Permit Modification Status 6/26/00

Action	Status	Schedule	NMED/WIPP Resources	Priority	Issues/Comments
Reduce data management requirements to assure the level of quality needed for compliance and remove the requirement for a quarterly review of the data reports for a randomly selected drum.	CTAC developing Regulatory Basis: 40 CFR 270.42(d)(1)	Submit class 2 modification June 30, 2000		2/A	
Revise leak check requirements for headspace gas sampling summa canisters and manifold systems.	Regulatory Basis: 40 CFR 270.42 App. I, B.1.d	Submit class 1 modification June 30, 2000		1/C	Increases operational flexibility.
Revise drum age criteria using look-up table and/or prediction factors	Tasked to Benchmark Regulatory Basis: 40 CFR 270.42 App. I, B.1.d	Submit Class 2 modification July 31, 2000		2/C	Provides opportunity to increase throughput; lowers delay associated with meeting current DAC.
Eliminate filter vent requirements	Resubmittal after Class determination Regulatory Basis: 40 CFR 270.42(d)(1)			2/C	Increases operational flexibility.
Eliminate VE requirements that verify radiography of waste containers through implementation of a PDP for RTR or developing an alternative verification process	Regulatory Basis: 40 CFR 270.42 App. I, B.1.d	Submit class 2 modification March, 2002		3/B	Will participate with R & D efforts to develop PDP then prepare a permit modification.
Include INEEL composite sampling system	Benchmark Regulatory Basis: 40 CFR 270.42 App. I, B.1.d	Submit Class 2 modification 7-15-00		1/A	Accommodates INEEL specific sampling system design. INEEL is developing.