



Subject: PCB Meeting Minutes for April 12 draft

Date: Thu, 19 Apr 2001 15:16:52 -0600

From: "Waldram, Veronica - DOE" <WaldraV@wipp.carlsbad.nm.us>

To: "Zvonar, Cynthia - DOE" <ZvonarC@wipp.carlsbad.nm.us>,
"Gerle, Mike" <gerlem@wipp.carlsbad.nm.us>,
"Most, Wille" <MostW@wipp.carlsbad.nm.us>,
"Ward, Elizabeth - CTAC" <eward@wipp.carlsbad.nm.us>,
"Steger, Randy - CTAC" <RSteger@wipp.carlsbad.nm.us>,
"steve_zappe@nmenv.state.nm.us" <steve_zappe@nmenv.state.nm.us>,
"Lynne.Wade@em.doe.gov" <Lynne.Wade@em.doe.gov>,
"keely.Lange@em.doe.gov" <keely.Lange@em.doe.gov>,
"timothy.harms@em.doe.gov" <timothy.harms@em.doe.gov>,
"baney.Tony@epa.gov" <baney.Tony@epa.gov>,
"smith.johnh@epa.gov" <smith.johnh@epa.gov>,
"stone.nick@epa.gov" <stone.nick@epa.gov>,
"roberts.lou@epa.gov" <roberts.lou@epa.gov>,
"sales.james@epa.gov" <sales.james@epa.gov>

The following is a draft copy of the minutes from the April 12th PCB meeting. Please provide comments or changes to Cynthia Zvonar at ZvonarC@wipp.carlsbad.nm.us by COB April 25, 2001.

DRAFT

April 12, 2001

PCB Teleconference Summary

Attendees	Organization	Attendees	Organization
Cindy Zvonar	DOE/CBFO	Steve Zappe	NMED
Keely Lange	DOE/HQ	Michael Gerle	WTS
Tim Harms	DOE/HQ	Wille Most	WTS
Lynne Wade	DOE/HQ	Beth Ward	CTAC
Tony Baney	EPA/HQ	Randy Steger	CTAC
Dr. John Smith	EPA/HQ		
Lou Roberts	EPA Region 6		

010437



Jim Sales EPA Region 6

Nick Stone EPA Region 6

Cindy Zvonar, DOE/CBFO, convened the teleconference by briefly stating the objectives of the meeting:

- Communicate points of contact for the PCB disposal authorization process
- Answer questions that EPA may have regarding the WIPP Hazardous Waste Facility Permit (HWFP)
- Discuss regulatory strategies for the DOE/CBFO to obtain disposal authorization for PCB/TRU wastes.

Cindy introduced herself as the DOE point of contact for obtaining PCB disposal authorization at WIPP;

her number is 505-234-7495.

Keely Lang, DOE/HQ, was asked if she would be the contact person at EPA-HQ for issues involving liquid PCB waste around the DOE complex because of her involvement with the Blue Ribbon Panel. Keely responded that the liquid issue could wait until another time and that she felt this call should be used to discuss the process for obtaining the PCB disposal authorization at WIPP.

Cindy then stated that there are several different regulatory strategies that the DOE/CBFO has identified for disposal of PCB-contaminated TRU waste and requested Region 6 to recommend the best path forward. She also asked who would be the appropriate contact at EPA for the authorization.

Nick Stone, Region 6, responded that Jim Sales would be the Region 6 contact and that a full TSCA application is required pursuant to §761.75, chemical waste landfills.

Whether §761.60(e) could be used was briefly discussed by Jim Sales, Region 6, and John Smith, EPA/HQ. It was decided that this was not a viable path because it requires demonstrating an alternative method of destroying PCBs and is not pertinent to disposal at WIPP.

Some discussion ensued regarding the fact that WIPP's HWFP is not a Subpart N "hazardous waste landfill" permitted by a state under section 3006 of RCRA, but rather a Subpart X - miscellaneous unit. Jim Sales expressed some reservation concerning the fact that WIPP is not a landfill; he was reluctant to commit to a process where legal challenges might ensue. John Smith, EPA-HQ, pointed out that TSCA does not have as specific a definition for landfill as RCRA does and that, although WIPP is not a RCRA landfill, it should be permitted as a TSCA chemical waste landfill. It was also stated that all TSCA landfill authorizations contain some form of waivers and that the same waiver process should work for WIPP.

Jim Sales, Region 6, responded that the path forward would be to obtain a full TSCA authorization that would require some risk assessment elements. Randy Steger, CTAC, asked if that meant EPA was describing a hybrid, performance/risk-based approach. Jim clarified that a risk assessment will be required as part of the application. Randy Steger, CTAC, then asked EPA whether there was any advantage in seeking a coordinated approval. EPA responded that a coordinated approval was not an option for WIPP because it was created for a facility where both the state and EPA had overlapping PCB authorities, e.g., facility in New York. Cindy Zvonar DOE/CBFO then offered to provide a regulatory analysis to EPA Region 6 describing the different options for PCB disposal at WIPP since the discussions were impromptu and without the benefit of referral to the regulations.

Cindy Zvonar, DOE/CBFO, committed to providing the regulatory options to Jim Sales and asked EPA for their opinion on the process. Region 6 responded that a full TSCA authorization application would have to be submitted to the Region and that the contact person would be Jim Sales. Also noted here were:

- That the authorization request includes the requirement for estimates of PCB wastes to be disposed of
- The Region's willingness to involve the State of New Mexico, e.g., coordinating the timing of a Region VI approval with an NMED permit modification to lift the restriction on PCB concentrations greater than 50 parts per million
- That articles and liquids should be on a separate regulatory track.

Tim Harms, DOE/HQ, asked Steve Zappe, NMED, for his opinion. Steve Zappe responded that the agency would rather not see the permit modification until EPA begins public comments and that the permit modification approval would be contingent upon EPA approval. Cindy Zvonar, DOE-CBFO, agreed with Steve's concerns regarding the timing of the approvals.

Randy Steger, CTAC, asked if part of the EPA/NMED coordination could include identifying and addressing issues of interest to NMED during the PCB authorization process, e.g., PCB/hazardous waste compatibility, VOCs, etc. The DOE/CBFO would like to strive for concurrent review of issues to the extent possible in a single public involvement process as opposed to consecutively addressing the same issues. Steve Zappe, NMED, responded that the state would coordinate with EPA.

Jim Sales provided his phone number as 214-665-6796.

The phone call was concluded.

 header.htm	Name: header.htm Type: Hypertext Markup Language (text/html) Encoding: quoted-printable
--	--