



Department of Energy
Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221
JUL 18 2001

 **ENTERED**



Mr. Steve Zappe, Project Leader (WIPP)
Hazardous Waste Permits Program
Hazardous Waste Bureau
New Mexico Environment Department
2905 E. Rodeo Park Drive, Bldg. 1
Santa Fe, NM 87505

RE: 90-Day Storage Extension Request

Dear Mr. Zappe:

The purpose of this letter is to confirm our telephone conference informing you of the current situation regarding recent shipments of TRU mixed waste from the Idaho National Engineering Laboratory (INEEL) and to request a storage time extension. As you are aware, shipment of waste from INEEL was suspended pending resolution of EPA concerns over radioactivity counting equipment in use at INEEL.

On July 3, 2001, the Environmental Protection Agency (EPA) completed their surveillance of the Waste Analysis Gamma Spectrometer (WAGS) at INEEL. At the conclusion of the surveillance, the EPA informed the Carlsbad Field Office (CBFO) that:

- The WAGS data are valid
- EPA will perform a 40 CFR 194.8 inspection of the WAGS
- Disposed waste characterized on the WAGS should remain disposed
- Waste stored at the surface at WIPP should remain there until the EPA completes a 40 CFR 194.8 inspection of the WAGS.

As the result, there are 20 7-pack assemblies of TRU mixed waste that are being held in permitted storage areas in the WIPP Waste Handling Building (WHB). These contain 87 55-gallon drums of waste that were characterized on the WAGS, 44 that were characterized on INEEL's certified gamma counting system, and 9 dunnage drums.

EPA has indicated that they will work as expeditiously as possible to complete their activities. They are aware of the 60-day storage limit imposed by the WIPP Hazardous Waste Facility Permit (HWFP), Module III.A.1.e., and are working to complete activities within that time frame. The storage time limits expire on August 26, 27, and 28 for the various shipments currently stored in the WHB. In the event the EPA process takes longer than anticipated, an extension of the 60-day storage time in the WHB will be necessary.



Mr. Steve Zappe

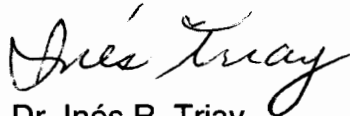
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The HWFP, Section M1-1d lists four types of events that may interrupt normal waste handling activities. Item 4 is "A suspension of emplacement activities for regulatory reasons." Consistent with the HWFP, the CBFO has taken (or has directed Westinghouse TRU Solutions to take) the following actions with regard to this waste:

- Suspended further shipments of WAGS waste until the EPA inspection process is complete,
- Placed all 20 7-pack assemblies containing WAGS waste into permitted storage areas in the WHB,
- Tagged the stored waste "Do Not Download" to prevent its emplacement in the disposal facility,
- Adjusted waste handling activities to handle ongoing waste shipments within the remaining unused storage areas, and
- Inspect the waste weekly per HWFP Attachment M1-1e(1).

The CBFO requests the NMED to provide a temporary 90-day extension to the storage time limit for this waste. In addition, the CBFO requests permission to store this waste on facility pallets at the TRUDOCKS. This storage at the TRUDOCKS, outside TRUPACT IIs may be for as long as 3-days. The capacity limits in all storage areas will not be exceeded under our request. This amount of time and additional use of the TRUDOCK storage positions should be sufficient to accommodate the EPA's process and any decision reached by the EPA with regard to the final disposition of this stored waste. Written notification of your approval is needed as quickly as possible.

Sincerely,



Dr. Inés R. Triay
Manager

cc:

C. Zvonar, CBFO
K. Watson, CBFO
B. Lilly, CBFO
S. Hunt, CBFO
J. Plum, CBFO