



ENVIRONMENTAL EVALUATION GROUP

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

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October 9, 2001

Mr. Steve Zappe, WIPP Project Leader
NMED Hazardous Waste Bureau
2905 Rodeo Park Drive East
Building 1
Santa Fe, NM 87505-6303

Dear Mr. Zappe:

In comments on the April 27, 2001 Class 2 modification request to increase storage space to accommodate ten-drum overpacks (TDOPs), the EEG pointed out that the August 8, 2000 Class 1 modification (Item 2) allowed filters to be placed on the body of drums as well as on the lid, and pointed out some of the safety hazards that placing filters on the body of drums could entail (Comment 3 attached to the June 22, 2001 Silva-to-Zappe letter). The comment also noted that such changes appear to exceed the allowances for Class 1 modifications. However, the August 31, 2001 NMED letter to the Permittees on Class 1 modifications indicates that this August 8 modification has been put into effect.

The EEG requests that the NMED again review Item 2 of the August 8, 2000 modification request. As you know, such a request is allowed by 40 CFR 270.42(a)(1)(iii). In making this request, the EEG is most interested in the safety issue.

Attached is a copy of the pertinent parts of the EEG comment described above. While there are other arguments against placing filters on the body of drums, the burden should be on the Permittees to show that the modification is safe, rather than for others to show that it is not safe. There has been no demonstration of safety by the Permittees for this modification.

Note also that Item 2 of the August 8, 2000 modification request also allows multiple filters on drums. Each filter is an additional potential breach point, and the NMED should consider the

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safety aspects of unnecessary additional filters in their review of the modification. The NMED might consider contacting the Permittees about withdrawing this modification.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew K. Silva', written in a cursive style.

Matthew K. Silva
Director

MKS:BAW:JKC:pf
Attachment

cc: Dr. Inés Triay, CBFO
Scott Monroe, EPA

ATTACHMENT

(From Comment 3 attached to the June 22, 2001 Silva-to-Zappe letter)

One example is the August 8, 2000 Class 1 modification, which added text to HWFP Attachment M1-1b that allows filters to be placed on “the body” of 55-gallon drums as well as the lid (p. A-6). Filters were originally placed on the lid in part because in that position the rim of the drum provides protection for the filter; on the body of the drum a filter would obtrude into the environment so that it can be bumped, pulled, or pressed against, any of which could break the integrity of the drum’s containment system. The possibility of such physical disruption was not discussed in the Class 1 modification, nor was data showing that drums with filters on the body would meet the Type A container specifications required by the HWFP. At the very least, formation of seven-packs should contain specific instructions for the location of filters on the body of each of the 55-gallon drums within the seven pack. The addition allowing the filters on the body of 55-gallon drums does not appear to be represent simply an administrative or informational change, but one which could affect the safety of the waste handling process.