



ENVIRONMENTAL EVALUATION GROUP



AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

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July 29, 2002

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

RE: Supplemental comments on the DAC class 3 permit modification

Dear Mr. Zappe:

The Environmental Evaluation Group (EEG) is providing supplemental comments concerning the drum age criteria (DAC) class 3 modifications to the Hazardous Waste Facility Permit (HWFP) for the Waste Isolation Pilot Plant (WIPP). These comments are submitted in response to additional comments submitted by the WIPP Permittees on 6/27/02, the Permittees further supplemental comments on 7/19/02, and on conversations and correspondence with the Permittees since 6/27/02.

The EEG had a number of concerns with the draft permit as documented in our comments to the New Mexico Environment Department (NMED) dated 6/27/02. Additional questions were raised after the responses and supplemental comments were submitted by the Permittees and in the subsequent conversations and documents pursuant to the Permittees' desire to alleviate our concerns. The status of our concerns is as follows.

1. In supplemental comments, the Permittees requested removal of references to the use of radiography to determine or verify DAC parameters. The EEG supports this request. The Permittees have instead proposed (7/23/02 memo from Westinghouse TRU Solutions to the EEG) that, "only packaging parameters that are documented under an approved procedure for packaging of newly generated waste, repackaging, or venting by lid punching may be used in DAC determination. If a drum liner vent-hole diameter was not documented under one of these three situations, the default value of 0.3-inch must be used in DAC determination." The EEG believes that the use of these sentences in footnote 'b' of both Tables B1-7 and B1-9 in the draft permit will reduce questions about DAC application, especially for retrievably stored waste. Of course, the EEG also

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believes that any new, DAC related, waste characterization parameters should have the same level of verification as is currently required by the HWFP for other waste characterization parameters.

2. The EEG suggested to the Permittees that since 'operators' were not going to select the DAC, they should "prepare and offer specific language for the permit stating that Site Project Level personnel are responsible for reviewing DAC related data and selecting the appropriate DAC scenario for each container... The HWFP appears to be the most appropriate document the Permittees currently have for passing such requirements to the generator/storage sites." The Permittees responded with, "The Permittees agree with this comment. The draft HWFP added text to Attachment B3, Section B3-11a, that requires the Site Project Level personnel to be responsible for reviewing DAC related data and selecting the appropriate DAC scenario for each container. The Permittees intend to enforce this requirement and have not proposed any revision to this draft permit condition." Section B3-11 is titled Data Reconciliation at the Project Level and the added requirement relates to the last site-checks of the appropriateness of the data gathered. It does not establish that the Site Project Office (SPO) must determine the DAC. There is still no HWFP language requiring the SPO to determine the DAC.
3. The EEG objected to language in the draft permit about packing pipe components in standard waste boxes since this is not yet an approved configuration. In response #6 of Permittees' comments on the draft permit, it was stated that, "The text has been revised to eliminate the references to packaging configuration involving the use of pipe components in SWBs." The EEG believes that the text proposed by the Permittees adequately resolves the concern.
4. The EEG, the Permittees, and others, in comments subsequent to the draft permit, have requested the consistent use of terminology regarding 'rigid poly liners.' The EEG believes that the text proposed by the Permittees adequately resolves the concern.
5. The EEG commented that "Scenario 1.B2 was apparently developed under the assumption that rigid poly liner lids which lack a visible opening are un-vented. There is no surety that rigid poly liners are un-vented – the liner lid may, or may not, be sealed to the liner itself... To be conservative, these containers [scenario 1.B1 and 1.B2] should not be considered as 'un-vented' containers, and processed under Scenario 3 requirements if the DAC is longer." After discussions with the Permittees, this is no longer a concern of the EEG.
6. The EEG noted some errors and insufficiencies in the DAC flow chart (Fig. B1-1) of the draft permit. The Permittees have provided a modified flow chart to the EEG that was an

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improvement over the draft version. The EEG recommends, however, that the flowchart included decision blocks leading to the selection of default hole-size and filter values to clarify the use of footnotes in the DAC selection tables.

7. The EEG withdraws its concern about specifying hole-size determination methodology in the permit. After discussions with the Permittees, it is our understanding that no new methods to determine the size of the hole in the rigid liner lid are being proposed by the Permittees, and any existing methods (e.g., recording during packing/repacking or lid punching) may be verified by NMED during generator site audits.
8. The EEG suggested that a comprehensive listing of the model parameters and graphical representations for each new DAC would have been very useful for understanding the mathematical model. The Permittees assured us that the model input/output parameters still existed and they sent two examples of the files to us. The EEG considers this issue resolved for its current purposes.

The EEG intends to be a party for the purposes of public participation at the hearing and will file an Entry of Appearance. The EEG does not support the draft permit as issued on May 13, 2002. Please feel free to contact us if you have any questions about our intentions or the supplemental comments provided herein.

Sincerely,



Matthew K. Silva
Director

MKS:sbw:js

cc: Inés Triay, Permittees/CBFO
Dave Streng, Permittees/CBFO
Robert Kerhman, WTS
Murthy Devarakonda, WTS