



ENVIRONMENTAL EVALUATION GROUP



AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

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Mr. Steve Zappe
WIPP Project Leader
New Mexico Environment Department
2905 Rodeo Park Drive East, Building E
Santa Fe, New Mexico 87505
FAX: 505/428-2567

REFERENCE: Comments by the Environmental Evaluation Group regarding the U.S. Department of Energy (DOE) Carlsbad field Office (CBFO) and Westinghouse TRU Solutions Class 3 Permit Modification Request (PMR) to allow the management, storage and disposal of remote-handled transuranic waste at the Waste Isolation Pilot Plant: **Request for RCRA Class 3 Permit Modification in Accordance with 20.4.1900 NMAC Incorporating 40 CFR Part 270:** EPA I.D. Number: NM4890139088.

Dear Mr. Zappe:

Enclosed is a corrected Page 3 for the EEG's comments on the above referenced Class 3 Permit Modification Request, which we submitted to you on 10/31/02. Please replace the Page 3 you received previously with the enclosed Page 3.

Thank you. If you have any questions or desire additional information, please contact me.

Sincerely,

Jill Shortencarier
Executive Assistant

Enclosure — *page inserted into original comments*

cc w/encl: Dr. Ines Triay, U.S. DOE/CBFO
Ms. Elizabeth Forinash, U.S. EPA

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substantial variations in the estimated volumes of RH TRU waste in the DOE Complex (Ref. 8, Ref. 9). The uncertainties in the estimated volumes of RH TRU waste may be a problem for sites in the DOE Complex that have yet to generate RH TRU. If there is uncertainty regarding the inventory of RH in the DOE complex, then there is uncertainty in the constituents that comprise that uncertain inventory. Moreover, the Performance Assessment is based upon the 1995-1996 inventory.

The two following situations are illustrative of potential or actual uncertainties in the estimated volumes. The estimate of RH TRU waste contained in the sludge in the K-Basins (Hanford K-100 Area) is approximately 1700 cubic feet (48 cubic meters) of layered particulate matter. Several different types of sludge exist, depending upon location, and each type of sludge is a unique mixture, thus probably making treatment of these sludges an operation unique for each mixture. The estimate of 48 cubic meters is not based upon data resulting from processing any of the sludge. The EEG is not sure of the basis of the estimate. In the second situation the estimate of RH TRU waste at the Idaho National Engineering and Environmental Laboratory (INEEL) does not include approximately 900 cubic meters of RH TRU waste located at the Idaho Nuclear Technology and Engineering Center (INTEC).

In a third situation, a November 16, 2001 Technology Opportunity Statement Outline prepared by INEEL indicates:

“The INEEL stores approximately 84 m³ of RH TRU waste in the Intermediate-Level TRU Storage Facility (ILTSF) vaults or in shielded overpacks, and approximately 220 m³ of suspect RH TRU waste at the Radioactive Waste Management Complex (RWMC). Efforts have been initiated to begin preparations to retrieve and characterize RH TRU waste for transportation and disposal at WIPP prior to 2015.”(Ref. 10).

Supplement 1 to Reference 1 does not identify the 220 m³ of suspect waste as candidate for shipment to the WIPP.

EEG Comment 2

The Permittees should provide an upper bound estimate of the volume of RH TRU waste by generating site and an upper bound estimate of the volume of RH TRU by generating site destined for WIPP. The upper bound estimate should include the uncertainty in the estimate, perhaps by addressing the “suspect RH TRU” at the generating sites. The Permittees should also provide an upper bound estimate of the RH TRU waste activity, by significant isotope, destined to the WIPP from each generating site. Significant isotope means at least the ten isotopes identified by the DOE, and required by the EPA, as important to the long-term performance of the WIPP. These ten isotopes are: ²⁴¹Am, ¹³⁷Cs, ²³⁸Pu, ²³⁹Pu, ²⁴⁰Pu, ²⁴²Pu, ⁹⁰Sr, ²³³U, ²³⁴U and ²³⁸U (Ref. 11).