

Subject: Re: WIPP Change of Operations Class 1* mod received by NMED

From: Don Hancock <sricdon@earthlink.net>

Date: Wed, 12 Mar 2003 10:35:47 -0700

To: Steve_Zappe@nmenv.state.nm.us, Steve_Zappe@nmenv.state.nm.us, Matthew Silva <msilva@eeg.org>, Lindsay Lovejoy <llovejoy@ago.state.nm.us>, Joni Arends <jarends@nuclearactive.org>, Deborah Reade <reade@nets.com>, Geoffrey Petrie <petrie@nukewatch.org>



Steve,

Thanks for asking for comments on this Class 1* modification. Because of my schedule through March 21, I only have time for a very quick look at the request, within the timeframe that you indicate.

I have two suggestions.

First, I agree that there needs to be discussion in Section A-6 about the new contract awarded in 2000, including the timeframe covered and the responsibilities of the contractor.

Second, on page A-5 of the submittal, from Attachment A-1 of the permit, for "Date Operations Began" the date shown is November 26, 1999. That is not the correct date that operations began and I believe it should be changed and corrected. Operations began as far as first waste receipt on March 26, 1999. The permit became effective on November 26, 1999.

Thanks for your consideration. I would appreciate getting a copy of NMED's response to DOE.

At 12:03 PM 3/11/03 -0700, Steve Zappe wrote:

Hi - This was originally mailed on Monday, March 3, but due to NMED mail server problems it was never delivered. Please accept my apologies. Due to this delay, please change the date for submitting issues and concerns to Friday, March 21. Thanks! Steve

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All -

I am writing to let you know that NMED received a Class 1* modification on Friday, February 28, 2003 from WIPP. They submitted it as required under 40 CFR §270.40, "Transfer of permits," and Appendix I to §270.42, Item A.7. Basically, NMED wants the Permit (in particular Attachment A) to reflect the changes over the years to the M&O contractor at the WIPP facility.

WIPP has posted the modification at their web site. Go to the "WIPP RCRA Documents menu" at <<http://www.wipp.carlsbad.nm.us/rcradox/menu.htm>>, scroll to the bottom and click the link "Submitted RCRA Class 1* (star) modifications." >From that page, you can download the pdf file entitled "Class 1* Permit Modification, Request Change in Operation, February 27, 2003." The file is 6,249 KB, so it may take a while to download.

Please review the submittal and provide me with any issues or concerns you may have. I'll pass them along to CBFO for their consideration in possibly revising the modification request before we

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act on it. I've already told them that I would like a clearer explanation of the change in operational control associated with the new contract awarded at the end of 2000, and that this needs to be included as modified language in the new Section A-6. We are under no pressure or time schedule to approve this, so we will have an opportunity to consider your input. Please pass this along to anyone I may have missed, and try to get me your issues by March 14 if possible. Thanks!

Steve

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