

Citizens Advisory Board

Idaho National Engineering and Environmental Laboratory

04-CAB-086

March 23, 2004



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Steve Zappe

New Mexico Environment Department

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1

Santa Fe, NM 87505-6303

Subject: Comments on the Modification to the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant

Dear Mr. Zappe:

The Site-Specific Advisory Board (SSAB) for the Idaho National Engineering and Environmental Laboratory (INEEL), also known as the INEEL Citizens Advisory Board (CAB), is a local advisory committee chartered under the Department of Energy's (DOE) Environmental Management SSAB Federal Advisory Committee Act Charter.

The INEEL CAB reviewed information available on the New Mexico Environment Department's Internet website titled "WIPP Information Page," (under the News heading titled "November 26, 2003") including the "Dear Citizen Letter," Public Notice, and Fact Sheet. The three documents relate to a pending decision by New Mexico Environment Department that could result in modifications to the permit for the Waste Isolation Pilot Plant (WIPP) prohibiting acceptance of additional waste streams, with limited and, as yet, undetermined, exceptions. We decided to comment on the proposed modification to the Hazardous Waste Facility Permit for WIPP.

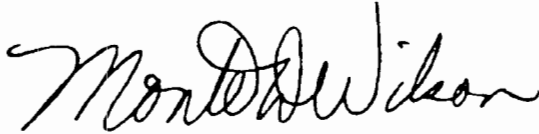
We have been advised by Shannon Brennan, our DOE Coordinator, that the current Environmental Management Site-Specific Advisory Board Guidance prohibits the INEEL CAB from providing advice to entities other than the Environmental Management Program of DOE. This direction is contradictory to our approved Mission and Procedures. In an attempt to comply with the Guidance while we explore this discrepancy, we are transmitting our consensus recommendation, #112, to the DOE Idaho Operations Office, with a request that it be forwarded to you.

A copy of our correspondence with Beth Sellers, DOE-ID Site Manager, is attached for your information.

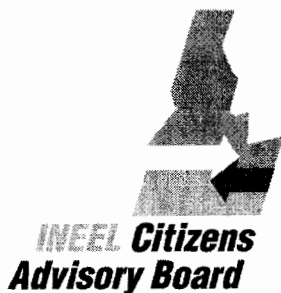


We hope you will continue to keep us informed of developments in the permit for WIPP.

Sincerely,

A handwritten signature in black ink that reads "Monte D. Wilson". The signature is written in a cursive style with a large, prominent "M" and "W".

Monte D. Wilson
Chair, INEEL CAB



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Lori McNamara

Beth Sellers
U.S. Department of Energy, Idaho Operations Office
1955 Fremont Avenue
Idaho Falls, ID 83401

**Subject: Comments on the Modification to the Hazardous Waste
 Facility Permit for the Waste Isolation Pilot Plant**

Dear Ms. Sellers:

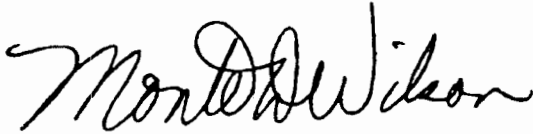
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We have been advised by Shannon Brennan, our Coordinator, that the current Environmental Management Site-Specific Advisory Board Guidance prohibits the INEEL CAB from providing advice to entities other than the Environmental Management Program of DOE. This direction is contradictory to our approved Mission and Procedures. However, in an attempt to comply with the Guidance while we explore this discrepancy, we are transmitting to you the consensus recommendation, #112, that we developed at our March 2004 meeting.

We would appreciate your help in delivering Recommendation #112 to the New Mexico Environment Department on our behalf.

Sincerely,



Monte D. Wilson
Chair, INEEL CAB

cc: Jessie Roberson, DOE-HQ
William Magwood, DOE-HQ
Sandra Waisley, DOE-HQ
Governor Dirk Kempthorne
Larry Craig, U.S. Senate
Mike Crapo, U.S. Senate
Mike Simpson, U.S. House of Representatives
Butch Otter, U.S. House of Representatives
Robert L. Geddes, President Pro Tem, Idaho Senate
Laird Noh, Chair, Idaho Senate Resources and Environment Committee
Bruce Newcomb, Speaker, Idaho House of Representatives
Bert Stevenson, Chair, Idaho House Resources and Conservation Committee
Dell Raybould, Chair, Idaho House Environmental Affairs Committee
Rick Provencher, DOE-ID
Kathleen Trever, State of Idaho INEEL Oversight
Nick Ceto, U.S. Environmental Protection Agency Region X
Dennis Faulk, U.S. Environmental Protection Agency Region X
Shannon Brennan, DOE-ID
Bonni Wethington, DOE-ID
Site Specific Advisory Board Chairs
INEEL CAB Members



**Citizens Advisory Board
Idaho National Engineering and Environmental Laboratory**

**Modification to the Hazardous Waste Facility Permit for the
Waste Isolation Pilot Plant**

The Site-Specific Advisory Board (SSAB) for the Idaho National Engineering and Environmental Laboratory (INEEL), also known as the INEEL Citizens Advisory Board (CAB), is a local advisory committee chartered under the Department of Energy's (DOE) Environmental Management SSAB Federal Advisory Committee Act Charter.

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The text of the Fact Sheet refers to a table in the Transuranic Waste Baseline Inventory Report. It is the CAB's understanding that the table may, in the future, include new waste streams approved for disposal at WIPP. The table presently has no entries.

The INEEL CAB recommends that the New Mexico Environment Department approve modifications to the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant to allow receipt of wastes for disposal at WIPP that have similar characteristics and are compatible with waste streams already permitted for disposal. One example of a waste stream similar to and compatible with waste streams already permitted for disposal at WIPP is the transuranic waste buried at the INEEL prior to 1970. This buried waste is very similar to transuranic waste stored aboveground at INEEL. (The stored waste is already permitted and is currently being shipped to WIPP.)

The INEEL CAB further recommends that New Mexico Environment Department characterize all waste streams proposed for disposal at WIPP and only those waste streams that are similar to and compatible with waste streams already permitted for disposal should be added to the existing permit. It is possible that some specific waste streams, such as portions of the liquid tank waste at INEEL, will meet specified criteria after treatment. This approach could potentially help prevent stranding of waste throughout the complex.

Finally, the INEEL CAB recommends that New Mexico Environment Department work with the Department of Energy to ensure that WIPP has adequate capacity to accommodate all wastes that are approved for disposal.

Note: The INEEL CAB has not reached consensus to support or oppose modification of the permit for WIPP to allow disposal of remote handled transuranic waste. It is assumed that the CAB will review that permit modification when released for public review. This recommendation should not be interpreted as addressing that separate issue. Furthermore, this recommendation should not be interpreted to indicate support or opposition to the reclassification of waste.