

**U.S. Department of Energy**  
Carlsbad Field Office  
P. O. Box 3090  
Carlsbad, New Mexico 88221



**Washington TRU Solutions, LLC**  
P. O. Box 2078  
Carlsbad, New Mexico 88221

May 26, 2004

### **Public Notice**

This notice describes a temporary authorization granted pursuant to a permit modification request (PMR) regarding the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit (HWFP) entitled "Container Management Improvements." This notice is issued under 20.4.1.900 New Mexico Administrative Code (NMAC) (incorporating 40 CFR § 270.42(e)(2)(iii)).

On May 21, 2004, the U.S. Department of Energy (DOE) and Washington TRU Solutions, LLC (the Permittees) requested and received a temporary authorization from the New Mexico Environment Department (NMED) to temporarily store up to 28 TRUPACT-IIs containing transuranic mixed waste in the Parking Area Unit (PAU) at the WIPP facility. NMED granted the temporary authorization for a period that began May 21, 2004, at 6:30 p.m. (MDT) and ended at 8:00 a.m. (MDT) on May 25, 2004. The temporary authorization was granted under a PMR submitted by the Permittees to the NMED on January 7, 2004, entitled "Container Management Improvements."

The Permittees sought the temporary authorization to store additional TRUPACT-IIs containing transuranic mixed waste to allow time for repair of the WIPP waste hoist. The hoist was taken out of service May 20, after an electrical problem was discovered during pre-operational checks. The waste hoist is used to download waste from the surface to the WIPP underground repository for disposal. The WIPP HWFP allows up to 12 TRUPACT-IIs to be stored in the PAU. Additional TRUPACT-IIs were scheduled to arrive during the period of the temporary authorization, potentially exceeding the normal storage capacity.

NMED granted temporary authorization based on 20.4.1.900 NMAC (incorporating 40 CFR § 270.42(e)(3)) because it determined that the temporary authorization would comply with 20.4.1.500 NMAC (incorporating 40 CFR Part 264); and was necessary to "prevent disruption of ongoing waste management activities" consistent with 20.4.1.900 NMAC (incorporating 40 CFR § 270.42(e)(3)(ii)(C)).

At approximately 1:30 p.m. (MDT) on May 22, the waste hoist was repaired. Waste emplacement resumed that afternoon. As of Monday morning, May 24, normal waste handling operations had been resumed. At no time during the temporary authorization period did the PAU exceed the permitted storage capacity, as verified by NMED inspectors.

For more information regarding the temporary authorization of the Container Management Improvements PMR, contact Mr. Bobby St. John, Washington TRU Solutions, LLC, P.O. Box 2078, Carlsbad, NM, 88221 or Mr. Steve Zappe, New Mexico Environment Department, 2905 Rodeo Park Drive East, Building 1, Santa Fe, NM 87505.

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