



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



November 23, 2004



Mr. Steve Zappe, Project Leader (WIPP)
 Hazardous Waste Permits Program
 Hazardous Waste Bureau
 New Mexico Environment Department
 2909 E. Rodeo Dr. Bldg 1
 Santa Fe, New Mexico 87502-6303

Subject: Notification of Class 1 Permit Modifications to the Hazardous Waste Facility Permit, Permit Number: NM4890139088-TSDF For Removal of the Brand Name "Loron" and an Update to the WIPP Web Page Address

Dear Mr. Zappe:

The purpose of this letter is to submit this notification of two Class 1 modifications to the Waste Isolation Pilot Plant Hazardous Waste Facility Permit, Number: NM4890139088-TSDF. The proposed change does not compromise worker safety, human health, or the environment. The purpose of these modifications is to:

- Remove the brand name of the push-pull forklift attachment
- Update WIPP web page address

We certify under penalty of law that this document and all attachments were prepared under our direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on our inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of our knowledge and belief, true, accurate, and complete. We are aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

Lloyd L. Piper, Acting Manager
 U. S. Department of Energy

S.D. Warren, General Manager
 Washington TRU Solutions LLC

Enclosure



Mr. Steve Zappe

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November 23, 2004

cc: w/enclosure
C. Walker, Trinity Engineering

cc: w/o enclosure
J. Bearzi, NMED
J. Kieling, NMED

Class 1 Permit Modifications

**Remove a Trade Name on the Underground Push-Pull Attachment and Update the
WIPP Home Page Address**

**Waste Isolation Pilot Plant
Carlsbad, New Mexico**

WIPP HWFP #NM4890139088-TSDF

November, 2004

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Acronyms and Abbreviations

CBFO	Carlsbad Field Office
CFR	Code of Federal Regulations
DOE	Department of Energy
HWFP	Hazardous Waste Facility Permit
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
PMN	Permit Modification Notification
RCRA	Resource Conservation and Recovery Act
TSDf	Treatment, Storage and Disposal Facility
WIPP	Waste Isolation Pilot Plant
WTS	Washington TRU Solutions LLC

Overview of the Permit Modification Notification

This document contains two Class 1 Permit Modifications (**PMNs**) to the Hazardous Waste Facility Permit (**HWFP**) at the Waste Isolation Pilot Plant (**WIPP**), Permit Number NM4890139088-TSDF hereinafter referred to as the WIPP HWFP.

These PMNs are being submitted by the U.S. Department of Energy (**DOE**), Carlsbad Field Office (**CBFO**) and Washington TRU Solutions LLC (**WTS**), collectively referred to as the Permittees, in accordance with the WIPP HWFP, Condition I.B.1 (20.4.1.900 New Mexico Administrative Code (**NMAC**) incorporating Title 40 of the Code of Federal Regulations (40 **CFR**) §270.42(a)). The PMNs in this document are necessary to notify the New Mexico Environment Department (**NMED**) of the deletion of a brand name for a piece of equipment used in the underground and to update the WIPP informational web page address. These changes do not reduce the ability of the Permittees to provide continued protection to human health and the environment.

The requested modifications to the WIPP HWFP and related supporting documents are provided in this PMN. The proposed modifications to the text of the WIPP HWFP have been identified using a double underline and revision bar in the right hand margin for added information, and a ~~strikeout~~ font for deleted information. All direct quotations are indicated by italicized text.

Attachment A

Description of the Class 1 Permit Modifications

Table 1. Class 1 Hazardous Waste Facility Permit Modifications

No.	Affected Permit Section	Item	Category	Attachment A Page #
1	a. Attachment D	Delete the trade name "Loron®" for the underground push-pull attachment	A.3	A-3
2	a. Attachment B4	Revise the informational web page address	A.1	A-6

Item 1

Description:

Change the wording of the push-pull forklift attachment in Table D-1 from "Loron® Attachment" to "push-pull attachment".

Basis:

The push-pull forklift attachment being used in the underground is manufactured by Loron®. This attachment has been identified in Table D-1 by the company name. A new push-pull attachment that is functionally equivalent is being purchased. The new attachment may not be a Loron® brand. The use of the attachment will remain the same. Therefore, the Permittees are deleting the name Loron® from the description assigned in Table D-1 for the push-pull forklift attachment.

The change is for "Equipment replacement or upgrading with functionally equivalent components" and is therefore a Class 1 notification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I, A.3).

Discussion:

The older push-pull attachment requires replacement and the Brand name for the existing piece of equipment should be removed so that the Permittees are not limited to a specific manufacturer. All functions of the equipment will remain the same.

Revised Permit Text:

- a.1. Attachment D, Table D-1

TABLE D-1 INSPECTION SCHEDULE/PROCEDURES			
System/Equipment Name	Responsible Organization	Inspection ^a Frequency and Job Title of Personnel Normally Making Inspection	Procedure Number and Inspection Criteria
Air Intake Shaft Hoist	Underground Operations	Preoperational ^a See Lists 1b and c	WP 04-HO1004 Inspecting for Deterioration ^b , Safety Equipment, Communication Systems, and Mechanical Operability ^m in accordance with Mine Safety and Health Administration (MSHA) requirements
Ambulances (Surface and Underground) and related emergency supplies and equipment	Emergency Services	Weekly See List 11	PM000030 Inspecting for Mechanical Operability ^m , Deterioration ^b , and Required Equipment ⁿ
Adjustable Center of Gravity Lift Fixture	Waste Handling	Preoperational See List 8	WP 05-WH1410 Inspecting for Mechanical Operability ^m and Deterioration ^b

**TABLE D-1
INSPECTION SCHEDULE/PROCEDURES**

System/Equipment Name	Responsible Organization	Inspection ^a Frequency and Job Title of Personnel Normally Making Inspection	Procedure Number and Inspection Criteria
Backup Power Supply Diesel Generators	Facility Operations	Monthly See List 3	WP 04-ED1301 Inspecting for Mechanical Operability ^m and Leaks/Spills by, starting and operating both generators. Results of this inspection are logged in accordance with WP 04-AD3008.
Facility Inspections (Water Diversion Berms)	Facility Engineering	Annually See List 4	WP 10-WC3008 Inspecting for Damage, Impediments to water flow, and Deterioration ^b
Central Monitoring Systems (CMS)	Facility Operations	Continuous See List 3	Automatic Self-Checking
Contact-Handled (CH) TRU Underground Transporter	Waste Handling	Preoperational See List 8	WP 05-WH1603 Inspecting for Mechanical Operability ^m , Deterioration ^b , and area around transporter clear of obstacles
Conveyance Loading Car	Waste Handling	Preoperational See List 8	WP 05-WH1406 Inspecting for Mechanical Operability ^m , Deterioration ^b , tracks clear of obstacles, and guards in the proper place
Exhaust Shaft	Underground Operations	Quarterly See List 1a	PM041099 Inspecting for Deterioration ^b and Leaks/Spills
Eye Wash and Shower Equipment	Equipment Custodian	Weekly See List 5	WP 12-IS1832 Inspecting for Deterioration ^b
		Semi-annually See List 2a	WP 12-IS1832 Inspecting for Deterioration ^b and Fluid Levels—Replace as Required
Fire Detection and Alarm System	Emergency Services	Semiannually See List 11	PM000027 Inspecting for Deterioration ^b , Operability of indicator lights and, underground fuel station dry chemical suppression system. Inspection is per NFPA 72
Fire Extinguishers ^l	Emergency Services	Monthly See List 11	PM000036 Inspecting for Deterioration ^b , Leaks/Spills, Expiration, seals, fullness, and pressure
Fire Hoses	Emergency Services	Annually (minimum) See List 11	PM000031 Inspecting for Deterioration ^b and Leaks/Spills
Fire Hydrants	Emergency Services	Semi-annual/ annually See List 11	PM000034 Inspecting for Deterioration ^b and Leaks/Spills
Fire Pumps	Emergency Services	Weekly/annually See List 11	PM000026 Inspecting for Deterioration ^b , Leaks/Spills, valves, and panel lights

**TABLE D-1
INSPECTION SCHEDULE/PROCEDURES**

System/Equipment Name	Responsible Organization	Inspection ^a Frequency and Job Title of Personnel Normally Making Inspection	Procedure Number and Inspection Criteria
Fire Sprinkler Systems	Emergency Services	Monthly/ quarterly See List 11	PM000025 Inspecting for Deterioration ^b , Leaks/Spills, static pressures, and removable strainers
Fire Trucks (Seagrave Fire Apparatus, Emergency One Apparatus, Brush Truck, and Underground Rescue Truck)	Emergency Services	Weekly See List 11	PM000033 Inspecting for Mechanical Operability ^m , Deterioration ^b , Leaks/Spills, and Required Equipment ⁿ
Forklifts Used for Waste Handling (Electric and Diesel forklifts, Loren <u>Push-Pull Attachment</u>)	Waste Handling	Preoperational See List 8	WP 05-WH1401, WP 05-WH1402, WP 05-WH1403, and WP 05-WH1412 Inspecting for Mechanical Operability ^m , Deterioration ^b , and On board fire suppression system
Hazardous Material Response Equipment	Emergency Services	Weekly See List 11	PM000033 Inspecting for Mechanical Operability ^m , Deterioration ^b , and Required Equipment ⁿ
Miners First Aid Station	Emergency Services	Quarterly See List 11	PM000035 Inspecting for Required Equipment ⁿ
Mine Pager Phones (between surface and underground)	Facility Operations	Monthly See List 3	WP 04-PC3017 Testing of PA and Underground Alarms and Mine Page Phones at essential locations
MSHA Air Quality Monitor	Maintenance/ Underground Operations	Daily ^l See Lists 1 and 10	WP 12-IH1828 Inspecting for Air Quality Monitoring Equipment Functional Check
Perimeter Fence, Gates, Signs	Security	Daily See List 6	PF0-011 Inspecting for Deterioration ^b and Posted Warnings

Item 2

Description:

Change the web page address that is used for WIPP informational purposes.

Basis:

The Permittees employ a web page to disseminate information regarding TRU mixed waste streams, regulatory compliance, operational and programmatic issues, methods development and other pertinent information that may be useful for stakeholders and the general public. The address of this web page has recently changed. To keep the public informed, the Permittees believe that the HWFP should reflect this new address.

The change is an "Administrative and informational change" and is therefore a Class 1 modification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I, A.1).

Discussion:

The previous web page address is now obsolete. To keep the public informed it is necessary to update the address in the HWFP.

Revised Permit Text:

- b.1 Attachment B4
B4-3f Audits of Acceptable Knowledge

The Permittees will conduct an initial audit of each site prior to certifying the site for shipment of TRU mixed waste to the WIPP facility. This initial audit will establish an approved baseline that will be reassessed annually by the Permittees. These audits will verify compliance with the requirements specified in the WAP (Permit Attachment B). The audits will be used to verify compliance with the compilation, application, and interpretation requirements of acceptable knowledge information specified in this Permit at all sites, and to evaluate the completeness and defensibility of site-specific acceptable knowledge documentation related to hazardous waste characterization. Permit Attachment B6 gives a description of the overall audit program and a required checklist. Figure B4-3 includes the primary steps associated with the audit process of acceptable knowledge.

Site-specific audit plans will be prepared by the Permittees and provided to NMED, and will identify the scope of the audit, requirements to be assessed, participating personnel, activities to be audited, organizations to be notified, applicable documents, and schedule. Audits will be performed in accordance with written procedures and site-specific checklists that will be developed by the Permittees prior to the audit and provided to NMED. The site-specific audit checklists will include items associated with the compilation and evaluation of the required acceptable knowledge information as specified in the checklist required by Permit Attachment B6.

Audit checklists shall include Table B6-3 in Permit Attachment B6, and will include but not be limited to the following elements for review during the audit:

- Documentation of the process used to compile, evaluate, and record acceptable knowledge is available and implemented;
- Personnel qualifications and training are documented;
- All of the required acceptable knowledge documentation specified in Section B4-2 has been compiled in an auditable record;
- All of the required procedures specified in B4-3 have been developed and implemented, including but not limited to:
 - A procedure exists for assigning hazardous waste codes to waste streams in accordance with Section B4-3;
 - A procedure exists for resolving discrepancies in acceptable knowledge documentation in accordance with Section B4-3;
 - A procedure exists for confirming acceptable knowledge information through: a) radiography or visual examination, b) headspace gas sampling and analysis, and c) homogeneous waste sampling and analysis in accordance with Section B4-3; and
- Results of other audits of the TRU mixed waste characterization programs at the site are available in site records.

Members of the audit team will be knowledgeable regarding the required acceptable knowledge information, RCRA regulations and EPA guidance regarding the use of acceptable knowledge for waste characterization, RCRA hazardous waste characterization, and the WAP requirements (Permit Attachment B). Audit team members will be independent of all TRU mixed waste management operations at the site being audited.

Auditors will evaluate acceptable knowledge documentation for at least one waste stream from the Summary Category Group(s) being audited, and will audit acceptable knowledge traceability for at least one container from the audited Summary Category Group(s). For these waste streams, auditors will review all procedures and associated processes developed by the site for documenting the process of compiling acceptable knowledge documentation; correlating information to specific waste inventories; assigning hazardous waste codes; and identifying, resolving, and documenting discrepancies in acceptable knowledge records. The adequacy of acceptable knowledge procedures and processes will be assessed and any deficiencies in procedures documented in the audit report.

Auditors will review the acceptable knowledge documentation for selected waste streams for logic, completeness, and defensibility. The criteria that will be used by auditors to evaluate the logic and defensibility of the acceptable knowledge documentation include completeness and traceability of the information, consistency of application of information, clarity of presentation,

degree of compliance with this Permit Attachment with regard to acceptable knowledge confirmation data, nonconformance procedures, and oversight procedures. Auditors will evaluate compliance with written site procedures for developing the acceptable knowledge record. A completeness review will evaluate the availability of all required TRU mixed waste management program information and TRU mixed waste stream information (Section B4-2). Records will be reviewed for correlation to specific waste streams and the basis for characterizing hazardous waste. Auditors will verify that sites include all required information and conservatively include all potential hazardous waste codes indicated by the acceptable knowledge records. All deficiencies in the acceptable knowledge documentation will be included in the audit report.

Auditors will verify and document that sites use administrative controls and follow written procedures to characterize hazardous waste for newly-generated and retrievably stored wastes. Auditors will review procedures used by the sites to confirm acceptable knowledge information using radiography or visual examination, headspace gas sampling and analysis, and homogeneous waste sampling and analysis. Procedures to document changes in acceptable knowledge documentation and changes to hazardous waste code assignments to specific waste streams also will be evaluated for compliance with the WAP (Permit Attachment B).

After the audit is complete, the Permittees will provide the site with preliminary results at a close-out meeting. The Permittees will prepare a final audit report that includes all observations and findings identified during the audit. Sites shall respond to all audit findings and identify corrective actions. Audit results will be included in the final audit report (Permit Attachment B6). If acceptable knowledge procedures do not exist, the required information is not available, or corrective actions (i.e., CARs) are identified associated with acceptable knowledge compilation, acceptable knowledge confirmation, and/or hazardous waste characterization, the Permittees will not manage, store, or dispose TRU mixed waste for the subject waste summary category. Management, storage, or disposal of the subject waste summary category at WIPP will not resume until the Permittees find that all corrective actions have been implemented and the site complies with all applicable requirements of the WAP.

The National TRU Program disseminates information regarding TRU mixed waste characterization requirements and program status through the WIPP Home Page at <http://www.wipp.carlsbad.nm.us/> <http://www.wipp.ws>. The Permittees will use this web page to disseminate information regarding TRU mixed waste streams, RCRA compliance, and operational and programmatic issues, methods development, and waste characterization information, including the application of acceptable knowledge. The Permittees are provided the required waste characterization information prior to management, storage, or disposal of that waste at WIPP and also will conduct audits at least annually. The Permittees will maintain an operating record for review during regulatory agency audits. NMED may also review any information relevant to the scope of the audit during site audits. The Permittees will notify NMED regarding any site's failure to implement corrective actions associated with hazardous waste characterization as specified in Modules I and II and Permit Attachment B3.