



 **ENTERED**

Allen, Pam, NMENV

From: Maestas, Ricardo, NMENV
Sent: Monday, April 23, 2012 7:39 AM
To: Allen, Pam, NMENV
Subject: FW: Draft Class 1 PMN - AK
Attachments: Draft Class 1 PMN Clarification of AK-Related CARs_Rev 1.doc

Email and attachment for WIPP FILE

-----Original Message-----

From: Kliphuis, Trais, NMENV
Sent: Wednesday, March 07, 2012 7:50 AM
To: Holmes, Steve, NMENV; Hall, Timothy, NMENV; Maestas, Ricardo, NMENV
Subject: FW: Draft Class 1 PMN - AK

-----Original Message-----

From: McCauslin, Susan - DOE [<mailto:susan.mccauslin@wipp.ws>]
Sent: Tuesday, [REDACTED] 2012 2:00 PM
To: Kliphuis, Trais, NMENV
Cc: Chavez, Rick - RES
Subject: Draft Class 1 PMN - AK

Hi Trais,

Attached is a revised draft of the Class 1 PMN clarifying language in the permit regarding AK-related CARS. Rick and I will call you to discuss, thanks.

Susan McCauslin
Office (575) 234-7349, Cell (575) 706-5369



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Class 1 Permit Modification Notification - DRAFT

**Clarify Language in Attachment C4, Section C4-3g, Pertaining to CARs
Associated with Acceptable Knowledge Compilation**

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

WIPP HWFP Number - NM4890139088-TSDF

March 2012

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Acronyms and Abbreviations

AK	Acceptable Knowledge
CAR	Corrective Action Report
CFR	Code of Federal Regulations
DOE	U.S. Department of Energy
HWFP	Hazardous Waste Facility Permit
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
Permit	Hazardous Waste Facility Permit
Permittees	Carlsbad Field Office and Washington TRU Solutions LLC
PMN	Permit Modification Notification
SOP	Standard Operating Procedure
TRU	Transuranic
WIPP	Waste Isolation Pilot Plant
WTS	Washington TRU Solutions LLC

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Overview of the Permit Modification Notification

This document contains a Class 1 Permit Modification Notification (**PMN**) to modify the Hazardous Waste Facility Permit (**Permit**) at the Waste Isolation Pilot Plant (**WIPP**), Permit Number NM4890139088-TSDF, hereinafter referred to as the Permit.

This PMN is being submitted by the U.S. Department of Energy (**DOE**) and Washington TRU Solutions LLC (**WTS**), collectively referred to as the Permittees, in accordance with Permit Part 1.3.1 (20.4.1.900 New Mexico Administrative Code (**NMAC**) incorporating Title 40 of the Code of Federal Regulations (40 **CFR** §270.42(a)). The PMN in this document is necessary to notify the New Mexico Environment Department (**NMED**) of a clarification to the Permit Waste Analysis Plan. This change does not reduce the ability of the Permittees to provide continued protection to human health and the environment.

The requested modification to the Permit and any related supporting documents are provided in this PMN. The proposed modification to the text of the Permit has been identified using red text and double underline and a ~~strikeout~~ font for deleted text. All direct quotations are indicated by italicized text.

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Attachment A

Description of the Class 1 Permit Modification Notification

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Table 1. Class 1 Hazardous Waste Facility Permit Modification Notification

Affected Permit Section	Change Description	Category	Attachment A Page #
Attachment C4, Section C4-3g	Revise page C4-15 of 20, lines 25 and 26, to clarify language pertaining to CARs associated with acceptable knowledge (AK) compilation. On line 26, revise text to clarify that "hazardous waste characterization" pertains to hazardous waste number assignment determined by AK.	A.1	A-4

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Item 1

Description

Revise Permit Attachment C4, Section C4-3g, as follows:

- Page C4-15 of 20, lines 25 and 26: Clarify language pertaining to CARs associated with acceptable knowledge (**AK**) compilation
- Page C4-15 of 20, line 26: Revise text to clarify that “hazardous waste characterization” pertains to hazardous waste number assignment determined through AK

Basis

The change is classified as an “administrative and informational change” and is, therefore, a Class 1 notification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I, A.1).

Discussion

If, during an audit, a corrective action report (CAR) is issued pertaining to AK compilation, the Permittees will follow the DOE corrective action process described in Section C3-13 of the Permit. This process requires the DOE to classify the significance of the condition. A “significant condition adverse to quality” is a condition which could have, if uncorrected, “a serious effect on safety, operability, waste isolation, TRU waste site certification, regulatory compliance demonstration, or effective implementation of the QA program” (CBFO MP 3.1, Rev. 12). If a CAR is initiated due to a deficiency in AK compilation and determined to be a “significant condition adverse to quality,” the Permittees will not manage, store, or dispose of TRU mixed from the subject waste summary category until all corrective actions have been implemented, as described in Section C4-3g of the Permit.

This change proposes to add clarifying language to the Permit so that shipments from affected summary category groups are not suspended for CARs written against AK compilation that are not determined to be significant. Examples of such instances include failure to obtain required signatures, errors associated with completing forms, and untimely disposition of records.

This change also proposes to clarify that the reference to “hazardous waste characterization” on line 26, page C4-15, of Section C4-3g pertains specifically to the hazardous waste number assignment determined through AK.

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Revised Permit Text

C4-3g Audits of Acceptable Knowledge

After the audit is complete, DOE will provide the site with preliminary results at a close-out meeting. DOE 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 C6). If acceptable knowledge procedures do not exist, the required information is not available, or corrective actions indicating a significant condition adverse to quality (i.e., CARs determined by the Permittees to be significant, as described in Section C3-13) are identified associated with acceptable knowledge compilation; and/or hazardous waste characterization number assignment, 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 DOE find that all corrective actions have been implemented and the site complies with all applicable requirements of the WAP.