

Allen, Pam, NMENV



From: Maestas, Ricardo, NMENV
Sent: Thursday, October 11, 2012 2:47 PM
To: Allen, Pam, NMENV
Subject: FW: Response to Questions

WIPP file

From: Kliphuis, Trais, NMENV
Sent: Monday, September 10, 2012 1:19 PM
To: Don Hancock
Cc: Kieling, John, NMENV; Maestas, Ricardo, NMENV; Holmes, Steve, NMENV
Subject: FW: Response to Questions

Hi Don,

Once again, responses to your questions are in blue below. Please feel free to call if you wish to discuss this further.

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

From: Don Hancock [<mailto:sricdon@earthlink.net>]
Sent: Tuesday, August 28, 2012 11:38 AM
To: Kliphuis, Trais, NMENV
Cc: Kieling, John, NMENV
Subject: Re: Response to Questions

Thanks for your response.

When it's received, I request a copy of the response(s) related to "NMED has requested identification of nonconformances, procedural changed or "lessons learned" and is waiting for a response from the Permittees." I also request a copy of the permittees response(s) and clarification(s) regarding one or more "typographic error" referred to under #4.

However, some of the responses are troubling and raise additional questions, for which I request responses.

1. Since NMED has requested additional information, including about [sic] "procedural changed," what is the basis for stating: "The Permittees have not implemented any new procedures for this waste stream"?

NMED is seeking re-confirmation in writing to what was stated by DOE by telephone.

2. Since NMED does not have the required program information document, CCP-AK-SRS-21, Revision 1, July 11, 2012, what is the basis for stating that there weren't any new procedures for the waste stream and that the required SRS procedures were followed?

According to Section C-2 of the permit, the Permittees require sites to develop the procedure(s) which specify their programmatic waste characterization requirements. DOE evaluates the procedures during audits conducted under the Audit and Surveillance Program (Section C-5a(3)) and may also evaluate the procedures as part of the review and approval of the WSPF. Sites must notify the Permittees and obtain DOE approval prior to making data-affecting modifications to procedures (Permit Attachment C3, Section C3-15).

DOE performs an initial audit at each generator/storage site performing waste characterization activities prior to the formal acceptance of the WSPFs and/or any waste characterization data supplied by the generator/storage sites. After the initial audit, audits are performed at least annually thereafter, including the



possibility of unannounced audits (i.e., not a regularly scheduled audit). The intent of the audits is to allow NMED to verify that the Permittees have implemented the WAP and that generator/storage sites have implemented a QA program for the characterization of waste and meet applicable WAP requirements. The Permittees audit (as specified in Permit Section 2.3.2) all aspects of the acceptable knowledge waste characterization process. Audits are not intended for review of every waste stream. It is also important to note that the permit does not prohibit new procedures for the programmatic waste characterization requirements from being developed and used during the time between audits.

3. Why did you not respond about the fact that there is a discrepancy in the two WSPFs as to when the NMED approved the audit report?

As explained above, NMED does not audit individual WSPFs. Audits occur annually, not as new waste streams originate.

The WSPF and the CIS for the waste stream resulting from waste characterization activities are be transmitted to the Permittees, who review them for completeness, and screen them for acceptance prior to loading any TRU mixed waste into the Contact-Handled or Remote-Handled Packaging at the generator facility, as described in Section C-4. The review and approval process ensures that the submitted waste analysis information is sufficient to meet the Data Quality Objectives (DQOs) for AK in Section C-4a(1) and allow the Permittees to demonstrate compliance with the requirements of this WAP.(C-0c)

DOE approves and provides NMED with copies of the approved WSPF and accompanying CIS prior to waste stream shipment. Upon notification of DOE's approval of the WSPF, the generator/storage site may be authorized to ship waste to WIPP.(C-0c)

For each Waste Stream Profile Form (WSPF) submitted for approval, DOE must verify that each submittal (i.e., WSPF and Characterization Information Summary) is complete and notify the originating site in writing of the WSPF approval.(C3-10c)

4. When did NMED approve the audit report?

NMED approved SRS/CCP RH Initial Recertification on April 13, 2012 and approved the SRS/CCP CH Recertification on May 23, 2012.

5. What are the SRS (generator/storage site) procedures for waste stream lots documented in Permit C6 checklist, WAP Requirement 5, in an NMED approved audit report?

The WAP Requirement 5 reads:

Are procedures in place to ensure that the generator/storage site divides waste streams into waste stream lots if all of the waste within a waste stream is not accessible for sampling and analysis, as required, at one time? If so, is the division of waste streams into waste stream lots based on staging, transportation and handling issues? (Section C-1a)

All of the waste within a waste stream may not be accessible for sampling and analysis at one time. This C-6 requirement ensures that when that occurs, a procedure is in place to divide the waste stream into lots. If division into lots for other reasons occur (i.e. shipping), a procedure is not required by WAP Requirement 5.

Why does the response in #4 not refer to those procedures? The procedures are CCP-PO-001 and CCP-TP-002 but are not relevant to this situation because they were divided for "other" reasons.

6. Did NMED's review of the revised WSPF identify the following discrepancies? As stated above, NMED does not audit individual WSPF's upon submission. NMED did review the form and noted discrepancies but as stated previously, NMED does not consider changes to WSPF's a cause for concern. At the next facility audit (which will take place in November) the WAP will be reviewed to ensure the processes are adequate. NMED does not have the resources or the authority to review this level of detail.

What explanations have the permittees provided? Please provide any such explanations.

- a. (26) on page 2 is different in the two WSPFs. Why the change? Which is correct?
- b. (27E) on page 2 is different in the two WSPFs. Source Document C5001 is cited in both WSPFs, but included as Test plans/research project report only in the revised WSPF. Why the change? Was the original WSPF inaccurate? Is the revised WSPF accurate?
- c. Page 19, line 17 in the first line of the second paragraph regarding F-Listed Waste of the revised WSPF refers to Headspace gas sampling of Lot 1 (not Lot 3). The revised WSPF otherwise does not describe Lot 1. What explanation have the permittees provided? Please provide any such explanations.

Thank you for providing the requested documents and for your further responses.

On 8/28/2012 9:20 AM, Kliphuis, Trais, NMENV wrote:

Hi Don,

Responses to your questions are in blue below. Please feel free to call if you wish to discuss this further.

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

From: Don Hancock [<mailto:sricdon@earthlink.net>]
Sent: Wednesday, August 15, 2012 8:49 AM
To: Kliphuis, Trais, NMENV
Cc: Kieling, John, NMENV
Subject: SRS Blended PuOx

As you both know, I have had serious concerns about SRS using new procedures for a new waste stream (SR-221H-PuOx). Those concerns are increased by the two Waste Stream Profile Forms (WSPF) done on that waste stream.

I request some additional documents and NMED's response to various questions.

Additional documents

1. AK Source Documents DR002 - Hazardous Waste Determination Revision for Plutonium Oxide Waste and M5037 Container Number Tracking Crosswalk for the WSPF.
2. CCP-AK-SRS-21, Revision 1, July 11, 2012, which is required program information cited in the WSPF.

NMED does not have these documents.

Questions

1. Have shipment(s) begun of Pipe Overpack Containers (POCs) of waste stream SR-221H-PuOx? If so, when was the first shipment?

Yes, the first shipment departed SRS on Thursday, August 16th and has been received at WIPP.

2. When were the new procedures for the new waste stream audited? CCP doesn't seem to know because the original (rescinded) WSPF stated that the audit approval was March 3, 2011 and the revised WSPF stated it was May 23, 2012. SRIC notes that, according to the permittees' audit reports, the POC process and procedures have not been specifically audited.

The Permittees have not implemented any new procedures for this waste stream.

3. ~~What action has NMED taken in response to the inadequate AK for this waste stream? It is a serious permit violation to provide inaccurate information, as was done with the June 26 submission letter from Jose Franco with the original WSPF. The fact that the approved CH waste AK procedures failed so badly in first calling the waste stream "non-RCRA"~~

and in the revised WSPF indicating that there are four chemical contaminants calls into question the AK procedures.

The Permittees followed procedures. Re-evaluation of the Acceptable Knowledge and providing revised information is in no way a permit violation.

4. What action has NMED taken in response to inadequacies and inaccuracies in the revised WSPF? NMED has reviewed the revised WSPF, requested clarification regarding the change in the WSPF and requested disclosure of any "lessons learned" reviews.

The revised WSPF states: "Prohibited items include non-pyrophorics, liquids, and aerosol cans." Page 20 of 26. In fact, the permit prohibits pyrophorics (not non-pyrophorics) and many other items other than liquids and aerosol cans.

NMED identified this as well and already requested clarification from the Permittees who confirmed this as a typographic error and clarified that "non-pyrophorics" should read "non-radionuclide pyrophorics". Page 18 of 26 in the fourth paragraph correctly states this as "Non-radionuclide pyrophorics are not present in the repackaging process".

See Permit Part 2 and Part 3.2. A WSPF that does not correctly state permit requirements does not seem to be accurate or reliable. The revised WSPF is for Lot 3. Page 4 of 26 and other places. However, Lot 3 contains the same 470 POCs as Lot 1, for which the original WSPF CIS was submitted. The WIPP Permit allows a generator/storage site to divide a waste stream into lots, but SRIC is unaware of permit provisions or past practices that allow the same waste lot to be given two different numbers.

The permit states that for those waste streams where the population of the waste stream as a whole is indeterminate (e.g., continually generated waste streams from ongoing processes) or to facilitate waste processing, the generator/storage site may divide the waste stream into lots. It is silent with regard to numbering requirements and how numbering must be assigned.

CCP has a lot number assignment process that includes different lot assignment numbers by process. That is, there are sampling lot numbers as well as shipping lot numbers which frequently match but not always. Because of the rescinded WSPF, a new shipping lot number was assigned to avoid confusion.

Further, Permit C6 checklist, WAP Requirement 5, requires the permittees to have procedures for delineating lots.

Was that process followed in the case of having the same waste be given two different lot numbers? Please see the response above.

Do the SRS procedures actually allow for the same waste to be given two lots numbers? See response the response above.

When did NMED audit and approve that process? Please see the response to question 2 above.

There are other unexplained discrepancies in the two WSPFs. Please elaborate.

5. What nonconformances or procedural changes have the permittees established (and notified NMED) to prevent recurrence of errors associated with both WSPFs for waste stream SR-221H-PuOx?

NMED has requested identification of nonconformances, procedural changed or "lessons learned" and is waiting for a response from the Permittees.

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