

EPA Meeting Minutes - Panel Closure Redesign  
Informal Public meetings  
December 2012



ENTERED

**Carlsbad. 12/5/12**

Mayor Janway:

- Carlsbad community values their involvement in all WIPP-related issues and view themselves as the primary and most important stakeholders.
- Stakeholders include all those that live in Carlsbad and the surrounding communities, and obviously those that work and are associated with the WIPP facility.
  - Are the interests of the true stakeholders being voiced and heard?
  - Are those opponents of WIPP-related issues simply trying to throw a wrench in the wheel, so to speak?
  - Are those in opposition to WIPP voicing legitimate concerns?
  - Incorporate lessons learned from oversight experience.
- Absolutely in-favor of panel closure planned change request, based on scientific and economic merit.

Jon Edwards/EPA:

- Show of interest is very impressive and appreciative.
- Three things to keep in mind:
  - These informal meetings are not required by our regulatory process, but we feel in our extensive experience that the early, informal feedback is the most beneficial to EPA.
  - In forming your comments, please really try and consider the technical/scientific/regulatory merits (positive and negative) of the rule and planned change, as we need to make sure we are doing a robust review of the change in case of a legal suit.
  - Want to think about better ways to engage the stakeholders, especially in light of days of budget cuts and limited resources.

Farok Sharif, NWP:

- Level of interest from the senatorial and congressional staff is very informed and supportive of the WIPP project.
- Especially Lynn Ditto from Sen. Bingaman's office, who is retiring

**Santa Fe. 12/6/12**

Mayor David Coss:

- In favor any EPA activity that supports open and transparent government.
- WIPP issues are very important to Santa Fe, either via LANL or waste transportation.
- Equality in terms of stakeholder pool; in support of Carlsbad Mayor Janway as the city and its inhabitants are the most impacted by the site change.
- In support of DOE's panel closure redesign, when looking at scientific, technical, and economic merits.



- K. Economy/EPA:
  - Anything that will be changed in the future, especially related to waste inventory, we will obviously consider those, particularly in the next recertification. However, the panel closure design, this new PCS-2012 only changed the parameters for panel closure. This was to create a simple, quantifiable comparison.

J. Heaton/Carlsbad:

- We have been looking at this issue for quite a long time, and the foremost issue in Carlsbad's perspective is worker safety. Gas (hydrogen & methane) generations are not at the level of a combustible level, which was the intent of the original explosion walls in the Option D design. The cost difference between the two options is over a magnitude of ten, not including other safety factors and interruptions in waste disposal operations.
  - J. Greenwald/CARD:
    - I don't believe that DOE has gone up to speed on RH waste projections, and I am concerned about how this potential waste (e.g., shielded containers) will affect the PA.
  - T. Peake/EPA:
    - All of the regulatory limits for RH (and CH) are already being modeled in the PA.

J. Arends/CCNS:

- Wants to thank WIPP site for sending a copy of the permit mod.
- The most recent NMED permit mod (class 3) says that the costs associated with Option D would only be about \$1.4 million, as opposed to tens of millions of dollars.

D. Sopic/Carlsbad:

- Extensive experience in mining, including the properties of salt and its healing/creep closure properties. I have friends and family that work and live in WIPP. I trust them more than any scientist. This new panel closure system is better than the Option D design (which had some flaws). The ROMPCS is a much better design and is definitely more cost effective. The pricing of concrete has more than doubled, and there is a shortage of concrete, all of which are issues. The total cost of implementation not only includes the concrete, but also all of the labor, mechanics, safety, and disposal operations are what creates a number into the millions of dollars. From a worker standpoint, the new panel closure design is a great change.
  - K. Economy/EPA:
    - I want to clarify that EPA is primarily concerned about the long-term performance. Is DOE modeling all of the factors

then after the initial inspection it will be rolled into the waste characterization CCP inspections process.

- S. Kouba/DOE:
  - We have drafted some procedures and are planning to move forward, possibly sometime in the spring 2013 time frame.
- We are hopeful that as things proceed all documents will be made available (website), as they have been in the past.

J. Greenwald/CARD:

- Is EPA's radiation model still "reference man?" Makhijani states in his report that women and children (and especially fetuses) are more susceptible to radiation. Trucks that transport the waste can stop anywhere, and we believe that the shielded containers will have more and multiple exposures. I don't see an analysis of this on any DOE document. Also, I'm concerned about the women that work underground at WIPP, including pregnant women. I understand that EPA is behind in some of the updates of regulations related to radiation exposure and that is of a big concern to me. DOE waste shipment drivers should only be allowed to park in designated overnight areas as well.
  - T. Peake/EPA:
    - "Reference man" is how EPA looks at radiological effects on members of the public. When it was first developed, it looked at the average male. We have had questions (most notably from A. Makhijani) about updating it to incorporate females, children, etc., since they would have different rates and effects. EPA is trying to look at more age-specific data and incorporate it into our newest models. DOE and NRC are also involved in trying to take the latest information on dosimetry/dose conversion factors and update our regulations.
  - R. Patterson/EPA:
    - There are some issues dealing with the permit lawsuit that I don't want to get into, but the idea of the shielded container is that the container will be handled just like CH waste. There will be no additional exposure. There is a written policy at WIPP for women and pregnant women (DOE has provided this to J. Greenwald).
- The limits of surface dose of CH waste is under 200 mrem/hour, correct? What would you say is an average number for a CH container?
  - S. Kouba/DOE:
    - All drums are measured at the site before they go underground for disposal.
  - T. Peake/EPA:

out and recognized this assertion it would change NMED's permit from a 2 to a 3. It looks like a ploy by DOE to just solve the RH waste inventory problem at WIPP. It feels like a game between the regulators and it is maddening as a member of the public.

D. Hancock/EPA:

- Action items have not been followed up on; please resolve them in an appropriate manner. Defense determinations have not been made available. There is atomic defense activity waste that cannot by definition come to WIPP. This defense determination documentation needs to be made public.
  - T. Peake/EPA:
    - Further resolution needed DOE's lawyers and EPA needs to look at it as well.

J. Arends/CCNS:

- Would like to reiterate that RH inventory is huge and needs to be resolved.

J. Greenwald/CARD:

- During the last recert, the culebra wellheads were rising and falling. What is the current status? Also, R. Boenheim stated this rising and falling was due to drilling, which EPA agreed with. Have there been any changes to this? In addition, Dr. Richard Phillips stated that this rising and falling was due to rainwater infiltration into the culebra and magenta. Is the fluctuation between the wellhead levels are still within the expected ranges since the last recertification?
  - K. Economy/EPA:
    - DOE's information was reviewed during the last recertification and EPA found it to be technically sound. There have been no changes or anomalies in the well head data found in the ASER reports, and as far as EPA is concerned we do not question any information they have provided. We consider the issue closed unless there is additional new information submitted.
  - R. Lee/J. Walsh/EPA:
    - Yes, the levels in the wellheads are still within the expected ranges.
  - T. Peake/EPA:
    - We do not believe karst is an issue, as we have concluded during the certification and subsequent recertifications.
  - J. Walsh/EPA:
    - The data reviewed by R. Boenheim and Dr. Phillips during the last recertification were from a higher resolution calibration and sensitivity of equipment.