

**Statute and permit conditions supporting PMR Decision not discussed in response to comments but important**

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74-4-10.1 . Hazardous waste monitoring, analysis and testing. (1989)

A. If the director determines, upon receipt of any information, that:

- (1) the presence of any hazardous waste at a facility or site at which hazardous waste is or has been stored, treated or disposed of; or
- (2) the release of any such waste from such facility or site may present a substantial hazard to human health or the environment, he may issue an order requiring the owner or operator of such facility to conduct such monitoring, testing, analysis and reporting with respect to such facility or site as the director deems reasonable to ascertain the nature and extent of such hazard.

And

Permit Condition

C4-3e Requirements for Re-evaluating Acceptable Knowledge Information

Acceptable knowledge includes information regarding the physical form of the waste, the base materials composing the waste, and the process that generates the waste. Waste testing (i.e., radiography or visual examination) may be used to augment acceptable knowledge information.

The Waste Stream Profile Form (WSPF) and Characterization Information Summary (including the acceptable knowledge summary) will be reviewed by the Permittees for each waste stream prior to DOE approval of the WSPF. The Permittees' review will ensure that the submitted AK information was collected under procedures that ensure implementation of the WAP, provides data sufficient to meet the DQOs in Section C-4a(1), and allow the Permittees to demonstrate compliance with the waste analysis requirements of the Permit. A detailed discussion of the Permittees' waste stream review and DOE's WSPF approval process is provided in Section C-1d.

The Permittees shall require sites to establish procedures for reevaluating acceptable knowledge if the results of waste confirmation indicate that the waste to be shipped does not match the approved waste stream, or if data obtained from radiography or visual examination for waste streams without an AK Sufficiency Determination exhibit this discrepancy. Site procedures shall describe how the waste is reassigned, acceptable knowledge reevaluated, and appropriate hazardous waste numbers assigned. If the reevaluation requires that the Waste Matrix Code be changed for the waste stream or the waste does not match the approved waste stream, the following minimum steps shall be taken to reevaluate acceptable knowledge:

- Review existing information based on the container identification number and document all differences in hazardous waste number assignments
- If differences exist in the hazardous waste numbers that were assigned, reassess and document all required acceptable knowledge information (Section C4-3b) associated with the new designation
- Reassess and document all testing data associated with the waste
- Verify and document that the reassigned Waste Matrix Code was generated within the specified time period, area and buildings, waste generating process, and that the process material inputs are consistent with the waste material parameters identified during radiography or visual examination
- Record all changes to acceptable knowledge records
- If discrepancies exist in the acceptable knowledge information for the revised Waste Matrix Code, document the segregation of the affected portion of the waste stream, and define the actions necessary to fully characterize the waste

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