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Carlsbad Field Office  
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JUL 3 2014

Mr. John E. Kieling, Bureau Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87508-6303

Mr. Tom Blaine, Division Director  
Environmental Health Division  
Harold Runnels Building  
1190 Saint Francis Drive, Room 4050  
Santa Fe, NM 87502-5469

Subject: Request for Additional Extension of Storage Time at the Waste Isolation Pilot Plant Facility, Hazardous Waste Facility Permit, Number NM4890139088-TSDF

Reference: New Mexico Environment Department correspondence from Ryan Flynn to Jose Franco and Robert L. McQuinn, dated May 16, 2014, subject: Request for Additional Extension of Storage Time, Waste Isolation Pilot Plant EPA I.D. NM4890139088

Dear Mr. Kieling and Mr. Blaine:

In accordance with the above-referenced letter, the Permittees are requesting an extension of storage time for the transuranic (TRU) mixed waste currently stored in the Waste Handling Building (WHB) at the Waste Isolation Pilot Plant (WIPP) facility. The TRU mixed waste in storage originated from 19 shipments and from the replacement of filters in the Underground Ventilation Filtration System.

At this time, the Permittees are developing a detailed Recovery Plan and Schedule for planning purposes. The schedule contains a step-wise process to returning to normal operations. The Plan and Schedule provides the series of steps needed to be taken and the approximate time that is planned for each step. The Recovery Plan anticipates that by January 2016 the Permittees will have progressed in the Recovery Process to the point that limited waste disposal operations can be resumed including the disposal of stored waste stored in the WHB and site-generated derived waste stored in the WHB. Therefore, the Permittees are requesting an extension to January 2016 to emplace the derived and stored waste located in the WHB in the WIPP underground. We would like to meet with you and your staff at your earliest convenience to discuss the Recovery Plan and how it relates to this request for extension of storage time.

*Potential Impacts of Alternative Storage Options on Human Health and the Environment*

Three options that the Permittees are currently evaluating include the following:

- Option 1 - Continue to store waste in the WHB at the WIPP facility;
- Option 2 - Ship the waste to the Waste Control Specialists (WCS) facility in Andrews County, Texas, for temporary storage; and
- Option 3 - Return the waste to the generator/storage sites.

**Option 1, continue to store waste in the WHB at the WIPP facility.** This option involves retaining the waste in the WHB in its current condition. The Permittees believe that this option is preferred because it minimizes risk to human health and the environment as the waste will not need to be handled, moved, or transported to another location. Normally, the WHB has waste in storage; therefore, the condition represented by retaining the waste is not an unusual waste management practice. The WIPP facility is permitted and secure. Storage area inspections are being conducted weekly as required by the Permit, and surface storage areas have not been adversely affected by the recent fire and radiological incidents at the WIPP facility. The storage limits in the Permit were negotiated at the time the Permit was issued and were based on operational expectations. The Permittees have demonstrated that they can successfully manage the waste over longer storage times with no impact to human health and the environment. The emissions from the WHB are continuously filtered through high-efficiency particulate air filters and the status of those filters are reported to the New Mexico Environment Department (NMED) bi-weekly. There are no additional costs associated with this option.



**Option 2, shipping the waste to the WCS facility in Andrews, Texas.** This option involves removing the waste from the WIPP facility and shipping it to WCS for temporary storage. This option is not available at this time. Only a small quantity of the waste (approximately four of the 19 shipments) currently stored in the WHB at the WIPP facility may meet the WCS waste acceptance criteria and qualify for shipment to that facility without further treatment. These four shipments are part of the Los Alamos National Laboratory (LANL) 3,706 m3 waste campaign. WCS has submitted an exemption request to the Texas Commission Environmental Quality (TCEQ) regarding its license that, if approved, would allow additional waste (approximately an additional eight of the 19 shipments) to qualify for shipment to WCS. This means that at some time in the future a total of approximately 12 of 19 shipments stored at the WIPP facility currently could become eligible for shipment to WCS, provided they meet the WCS waste acceptance criteria. However, the remaining waste at the WIPP facility (approximately seven of 19 shipments) has no current or future potential to be eligible for shipment to WCS. It is not expected that the TCEQ will finalize its response to the exemption request prior to the July 15, 2014 deadline. There are significant costs associated with this option including storage, handling, and transportation.

**Option 3, returning the waste to the generator/shipping sites.** This option involves returning the waste to the three generator/storage sites that originally shipped the waste to the WIPP facility. This is also not an available option at this time. Waste stored in the WHB originated from Idaho National Laboratory, LANL, and the Savannah River Site. Due to agreements in place for each site, negotiations will be required with state regulatory agencies and state governments prior to shipping waste back to each generator site or shipping the waste to a single DOE generator/storage site. Shipping waste back to LANL is not being considered. The complexities of these negotiations render it unlikely that arrangements can be made to ship the waste back to the generator/storage sites prior to the July 14, 2014 deadline. There are significant costs associated with this option, including administrative, handling, and transportation costs.

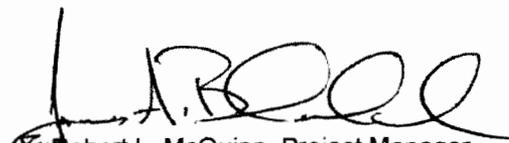
Therefore, the Permittees have concluded that storing the waste at the WIPP facility until the underground is available for the resumption of disposal activities is the favored option and it provides the least risk to human health and the environment and minimum additional cost.

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.

If you have any questions, please contact Mr. George T. Basabilvazo at (575) 234-7488.

Sincerely,

  
Jose R. Franco, Manager  
Carlsbad Field Office

  
Robert L. McQuinn, Project Manager  
Nuclear Waste Partnership LLC

cc:  
T. Kliphuis, NMED \*ED  
CBFO M&RC  
\*ED denotes electronic distribution