



Department of Energy
 Carlsbad Field Office
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FEB 02 2017



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Mr. John E. Kieling, Bureau Chief
 Hazardous Waste Bureau
 New Mexico Environment Department
 2905 Rodeo Park Drive East, Building 1
 Santa Fe, New Mexico 87505-6303

Subject: Comments on the September 29, 2016, Class 3 Permit Modification Request: "Addition of a Concrete Overpack Container Storage Unit" for the Waste Isolation Pilot Plant Hazardous Waste Facility Permit Number NM4890139088-TSDF

Dear Mr. Kieling:

The purpose of this letter is to provide you with comments on the Class 3 Permit Modification Request: "Addition of a Concrete Overpack Container Storage Unit" submitted to the New Mexico Environment Department on September 29, 2016.

We certify under penalty of law that this document and all attachments were prepared under our direction or supervision according to 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,

Todd Shrader, Manager
 Carlsbad Field Office

for Philip J. Breidenbach, Project Manager
 Nuclear Waste Partnership LLC

Enclosure

cc: w/enclosure
 R. Maestas, NMED *ED
 D. Biswell, NMED ED
 CBFO M&RC
 *ED denotes electronic distribution

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**Permittees' Comments on the Class 3 Permit Modification Request (PMR),
"Addition of a Concrete Overpack Container Storage Unit," Submitted to the
NMED on September 29, 2016**

1. To provide more detail describing how waste will be tracked within the overpack container storage unit, revisions to the identified double underline Permit sections 3.1.3.4, A1-1c(3), and A2-2b are highlighted in yellow as follows:

3.1.3.4 Storage Time Limit

The Permittees shall not store TRU mixed waste containers in concrete overpacks for more than 365 days after the date the concrete overpack was loaded with TRU mixed waste containers. The Permittees shall verify that the concrete overpack closure date for each overpack placed in the Overpack Unit is recorded in the WWIS database described in Permit Attachment C (Waste Analysis Plan).

A1-1c(3) Concrete Overpack Container Storage Unit (Overpack Unit)

The area south of the rail siding (see Figure A1-38) will be used for storage of TRU mixed waste containers within concrete overpacks. The Overpack Unit provides storage space for up to 65,280 ft³ (1,836 m³) of TRU mixed waste, contained in up to 408 loaded engineered concrete overpacks. Secondary containment and protection of the waste containers from standing liquid are provided by the concrete overpacks. Concrete overpacks placed in the Overpack Unit will remain closed while in this area. The maximum residence time for waste stored in concrete overpacks is 365 days from the date TRU mixed waste containers were placed into the concrete overpack. Storage locations in the Overpack Unit will be designated for tracking purposes in WIPP Standard Operating Procedures.

The concrete overpacks are made of steel reinforced concrete with a removable concrete lid. They are designed to function as the secondary containment barrier when loaded with TRU mixed waste. Each concrete overpack is sized to hold up to fourteen (14) 55-gallon TRU mixed waste drums or equivalent sized TRU waste containers (i.e., 100-gallon drums, 85-gallon drums, SWBs, TDOPs or shielded containers). The concrete overpacks will be numbered for tracking purposes.

A2-2b Geologic Repository Process Description

CH TRU Mixed Waste Emplacement

When the waste containers are placed into concrete overpacks for surface storage, the following basic operations will be carried out. The TRU mixed waste

storage process begins with WIPP Operations TRU mixed waste handling personnel transporting an empty concrete overpack into the WHB using a forklift and positioning it in front of the TRUDOCK. Next, the personnel will remove the concrete overpack lid from the empty concrete overpack and set it aside on the designated stand. TRU mixed waste containers will be removed from the Contact-Handled Packaging on the TRUDOCK. As the waste is removed from the Contact-Handled Packaging, the payload containers will be inspected. Once the waste is lowered into the concrete overpack using the Adjustable Center of Gravity Lift Fixture the annual inspection and storage period will begin. The lid will then be placed back on the concrete overpack. This provides the secondary containment for the TRU mixed waste. Using a forklift, TRU mixed waste personnel will then transport the concrete overpack containing the TRU mixed waste outside of the airlocks. An all-terrain forklift will then transport the concrete overpack onto the Overpack Unit. The concrete overpack ID Number corresponding to the waste containers placed in the concrete overpack and the concrete overpack closure date will be recorded in the WWIS.

2. In addition, the Permittees are proposing to add the following change shown in double underline and highlighted in yellow to Section 3.8 to assure the location of stored waste is maintained in the operating record in compliance with the regulations and the requirements of Part 2, Section 2.14.

3.8. RECORDKEEPING

The Permittees shall place the results of waste analyses in the operating record as specified in Permit Section 2.14 and Permit Attachment C.

The Permittees shall maintain, in the operating record, a record identifying the types and quantities of TRU mixed waste in each storage area. The record shall include a cross reference to specific manifest document numbers, if the waste was accompanied by a manifest, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.73(b)(2)).