



Department of Energy
 Carlsbad Field Office
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 June 15, 2022

Mr. Rick Shean, Chief
 Hazardous Waste Bureau
 New Mexico Environment Department
 2905 Rodeo Park Drive East, Building 1
 Santa Fe, New Mexico 87505

Subject: Class 1 Permit Modification Notifications, Waste Isolation Pilot Plant Hazardous Waste Facility Permit Number: NM4890139088-TSDF

Dear Mr. Shean:

Enclosed are Class 1 Permit Modification Notifications for the following items:

- Update Permit Attachment D, Table D-1, RCRA Emergency Coordinators
- Clarification to Permit Attachment E, Section E-1, Inspection Schedule

We certify under penalty of law that this document and enclosure 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. Ed Garza at (575) 234-8368.

Sincerely,

REINHARD
 KNERR

Digitally signed by REINHARD KNERR
 Date: 2022.06.15 09:20:48 -06'00'

Reinhard Knerr
 Manager
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SEAN DUNAGAN
 (Affiliate)

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Sean Dunagan
 President and Project Manager
 Nuclear Waste Partnership LLC

Enclosure

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

Class 1 Permit Modification Notifications

- 1. Update Permit Attachment D, Table D-1, *RCRA Emergency Coordinators***
- 2. Revision to Permit Attachment E, Section E-1, *Inspection Schedule***

**Waste Isolation Pilot Plant
Carlsbad, New Mexico**

WIPP Permit Number - NM4890139088-TSDF

June 2022

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Acronyms and Abbreviations

CFR	Code of Federal Regulations
DOE	U.S. Department of Energy
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
Permit	Waste Isolation Pilot Plant Hazardous Waste Facility Permit
Permittees	U.S. Department of Energy and Nuclear Waste Partnership LLC
PMN	Permit Modification Notification
RCRA	Resource Conservation and Recovery Act
WIPP	Waste Isolation Pilot Plant

Overview of the Permit Modification Notifications

This document contains two Class 1 Permit Modification Notifications (**PMNs**) for the Waste Isolation Pilot Plant (**WIPP**) Hazardous Waste Facility Permit (**Permit**) Number NM4890139088-TSDF.

These PMNs are being submitted by the U.S. Department of Energy (**DOE**) and Nuclear Waste Partnership LLC, collectively referred to as the Permittees, in accordance with Permit Part 1, Section 1.3.1. (20.4.1.900 New Mexico Administrative Code (**NMAC**) incorporating Title 40 Code of Federal Regulations (**CFR**) §270.42(a)). The PMNs in this document are necessary to notify the New Mexico Environment Department (**NMED**) of changes which impact the Permit. These changes do not reduce the ability of the Permittees to provide continued protection to human health and the environment.

The requested modifications to the Permit and any related supporting documents are provided in these PMNs. The proposed modifications to the text of the Permit have been identified using **red** text and double underline and a ~~strikeout~~ font for deleted information. All direct quotations are indicated by italicized text.

Attachment A
Description of the Class 1 Permit Modification Notifications

Table 1. Class 1 Hazardous Waste Facility Permit Modification Notifications

Item No.	Affected Permit Section	Change Description	Category
1	Attachment D, Table D-1, <i>Resource Conservation and Recovery Act Emergency Coordinators</i>	<p>This modification updates Permit Attachment D, Table D-1, <i>Resource Conservation and Recovery Act Emergency Coordinators</i>, with the following change:</p> <ul style="list-style-type: none"> • Add "J.R. (Joel) Howard." • Update three home addresses 	B.6.d
2	Attachment E, Section E-1, <i>Inspection Schedule</i>	<p>This modification revises Permit Attachment E, Section E-1, <i>Inspection Schedule</i>, to add the word "and" and remove "and inspector signature, date, and time" in the fourth sentence of the third paragraph.</p> <p>This change aligns the inspection requirements in Permit Attachment E, Section E-1, with the applicable regulations in 40 CFR §264.15(d) and removes inconsistency and redundancy regarding inspection record requirements within Permit Attachment E.</p> <p>This modification also revises Permit Attachment E, Section E-1, <i>Inspection Schedule</i>, to add "or data sheet" after "logbook" in the last sentence of the first paragraph.</p>	A.1

Item 1

Description

This modification updates Permit Attachment D, Table D-1, *Resource Conservation and Recovery Act Emergency Coordinators*, with the following change:

- Add "J.R. (Joel) Howard."
- Update three home addresses

Basis

This change is classified as "Changes in name, address, or phone number of coordinators or other persons or agencies identified in the plan" and is therefore a Class 1 modification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR §270.42, Appendix I, B.6.d).

Discussion

This change is needed to update the list of persons qualified to act as the Resource Conservation and Recovery Act (**RCRA**) Emergency Coordinator. This list must be kept up to date pursuant to 20.4.1.500 NMAC (incorporating 40 CFR 264.52(d)). The Permittees are adding J.R. (Joel) Howard to the list of RCRA Emergency Coordinators.

This change is needed because three RCRA Emergency Coordinators have recently changed their home addresses. In order to maintain the privacy of personal information (i.e., home addresses and personal phone numbers), this change is reflected in the copy of Table D-1 maintained by the Facility Shift Manager at the WIPP facility. A "confidential" copy of Table D-1 is being sent to the NMED. The current version of the Permit posted on the Information Repository will NOT contain this personal information and, therefore, will not reflect this change.

This update is necessary to ensure the list of RCRA Emergency Coordinators and respective information is current.

Proposed Revised Permit Text:

**Table D-1
Resource Conservation and Recovery Act Emergency Coordinators¹**

Name	Address*	Office Phone	Personal Phone*	24-Hour Emergency Phone
J.E. (Joseph) Bealler		(575) 234-8276 or (575) 234-8916		(575) 234-8111
M.G. (Mike) Proctor		(575) 234-8276 or (575) 234-8143		(575) 234-8111
P.J. (Paul) Paneral		(575) 234-8498		(575) 234-8111
A.C. (Andy) Cooper		(575) 234-8197		(575) 234-8111
C.J. (Chris) Belis		(575) 628-5851		(575) 234-8111
B.R. (Bobby) Franco		(575) 234-8163		(575) 234-8111
G.W. (Gregory) Brown		(575) 234-5862		(575) 234-8111
R.D. (Ryan) Parrish		(575) 234-8638		(575) 234-8111
R.E. (Eric) Chavez		(575) 234-5831		(575) 234-8111
D.L. (Donald) Journey		(575) 234-8216		(575) 234-8111
R.H. (Robert) Valenzuela		(575) 234-8799		(575) 234-8111
J.R. (James) Bailey		(575) 234-8276		(575) 234-8111
M.L. (Martin) Mendes		(575) 234-5822		(575) 234-8111
D.J. (Derek) Tweedy		(575) 234-8272		(575) 234-8111
<u>J.R. (Joel) Howard</u>		<u>(575) 234-8325</u>		<u>(575) 234-8111</u>

* NOTE: Personal information (home addresses and personal phone numbers) has been removed from informational copies of this Permit.

¹ For every shift, one qualified RCRA Emergency Coordinator serves as the primary, and a second qualified RCRA Emergency Coordinator is available to serve as the alternate.

Item 2

Description

This modification revises Permit Attachment E, Section E-1, *Inspection Schedule*, to add the word “and” and remove “and inspector signature, date, and time” in the fourth sentence of the third paragraph.

This change aligns the inspection requirements in Permit Attachment E, Section E-1, with the applicable regulations in 40 CFR §264.15(d) and removes inconsistency and redundancy regarding inspection record requirements within Permit Attachment E.

This modification also revises Permit Attachment E, Section E-1, *Inspection Schedule*, to add “or data sheet” after “logbook” in the last sentence of the first paragraph.

Basis

These changes are classified as an "Administrative and informational change" pursuant to 20.4.1.900 NMAC (incorporating 40 CFR §270.42 Appendix 1, A.1) and is, therefore, a Class 1 modification.

Discussion

This change is needed to align Permit Attachment E with Permit Part 2, Section 2.7, *General Inspection Requirements*, and with the applicable regulations under 40 CFR §264.15(d), which requires the name of the inspector be recorded on the inspection record. This change removes the requirement for the “inspector signature” in inspection logbooks or summary records because it is not required by Permit Part 2, Section 2.7 nor by 40 CFR §264.15(d). The text “and inspector signature, date, and time” can be removed from the third paragraph of Permit Attachment E, Section E-1 because the requirements for recording inspections pursuant to Permit Part 2, Section 2.7 and 40 CFR §264.15(d) are incorporated in paragraph 9 of Permit Attachment E, Section E-1. The requirements for recording inspections in paragraph 9 are more comprehensive than paragraph 3 and include direct language from 40 CFR §264.15.

This modification does not reduce the Permittees ability to protect human health and the environment. This change is needed to clarify text and removed redundancy from the Permit to ensure accurate and consistent implementation of the Permit/regulatory requirements.

The change pertaining to data sheets is needed to align with other text in Permit Attachment E pertaining to recording inspections on logbooks or data sheets.

Proposed Revised Permit Text:

E-1 Inspection Schedule

Operational procedures detailing the inspections required under 20.4.1.500 NMAC (incorporating 40 CFR §§264.15(a) and (b)), are maintained in electronic format on the WIPP computer network, in the Operating Record and, as appropriate, in controlled document locations at the WIPP facility. Frequency of inspections is discussed in detail in Section E-1a(2). Inspections are conducted often enough to identify problems in time to correct them before they pose a threat to human health or the environment and are based on regulatory requirements. The operational procedures assign responsibility for conducting the inspection, the frequency of each inspection, the types of problems to be watched for, what to do if items fail inspection, and directions on record keeping, ~~and inspector signature, date, and time~~. The operational procedures are maintained at the WIPP facility. Tables E-1 and E-1a summarize inspections, frequencies, responsible organizations, and the types of anticipated problems as well as the references for the operational procedures. Inspection records are maintained at the WIPP site for three years. Beginning with the effective date of this Permit, records that are over the three year retention period are either maintained at the WIPP site or transferred to the WIPP Records Archive located in Carlsbad, NM until closure. The records maintained at the WIPP Records Archive are stored in facilities that are temperature and humidity controlled especially for the long term storage of records and readily retrievable and available for inspection.

Waste handling equipment and area inspections are typically controlled through established procedures and the results are recorded in logbooks or on data sheets. Operators are trained to consult the logbook to identify the status of any piece of waste handling equipment prior to its use. Once a piece of equipment is identified to be operable, a preoperational inspection is initiated in accordance with the appropriate inspection procedure in Tables E-1, E-1a, or in operational procedures. Inspection results as described below are entered in the applicable logbook or data sheet.