

NMED/DOE WIPP PART B PERMIT APPLICATION REVIEW

Summary of Issues

DRAFT WORKING MEETING NOTES

August 31, 1992



Participants:

Susan Collins, NMED  
Benito Garcia, NMED  
Connie Walker, ATK

June Dreith, ATK  
Bob Kehrman, Westinghouse  
Darrell Mercer, DOE

NOTE: meeting initiated prior to arrival of ATK representatives. Notes include summary of issues discussed prior to arrival at end of meeting notes.

ITEM	DISCUSSION	CONCLUSIONS/FURTHER ACTIONS
NOID language.	Discussed possibility of denying portions of the application (i.e. rejecting wet bins, but considering dry bins).	NMED indicated that this would be possible, and that inclusion of wet bin information (if ultimately deemed to be insufficient) would not automatically indicate that an NOID would be issued for the entire application.
Certification of Engineering Diagrams.	DOE indicated that certification of Engineering diagrams was not a RCRA requirements, and that the state requires certification of designs when the facility "impacts the public". DOE would acquire legal interpretation of this term, as no precedent in Federal cases.	NMED indicated that it, too, would seek guidance from the legal department on this issue.
Proper references to DOE and contractors.	Use of DOE/Westinghouse or "DOE and Westinghouse" in documents.	NMED will use the phrase "DOE and Westinghouse" in all correspondence/documents.
Informational meeting locations.	Discussed possibility of holding informational meetings in Roswell, Santa Fe, Las Cruces, Raton, Las Vegas, and Albuquerque.	Meetings to be held in Roswell, Santa Fe, Raton, and Albuquerque.
Schedule.	Discussed possibility of beginning public informational meetings on April 5. Discussed utilization of slide shows, films, and other presentations. WIPP exhibit will be part of State Fair, and DOE representatives indicated that information will be presented concerning WIPP within exhibit.	NMED and DOE will examine availability of information such as films, slides, etc. relative to informing public prior to informational meetings.

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ITEM	DISCUSSION	CONCLUSIONS/FURTHER ACTIONS
<p>Schedule.</p> 	<p>Determined that "start clock" for one year review period was August 24, 1992. Therefore, the draft permit must be completed by August 24, 1993. Draft permit would be completed by August 1, with public hearings in Carlsbad on approximately Sept. 13. Public meetings to be held in Carlsbad and Albuquerque. Approximate one week period discussed for public hearings, with Draft Permit (or NOID) in approximately November of 1993. Decision on Permit would be made by secretary in December of 1993, with appeals/hearings in January of 1994.</p>	<p>None.</p>
<p>Compliance Schedule.</p>	<p>DOE will likely include information concerning wet bins within the revised application, but biggest obstacle will be the "after Test Phase" issue relative to management of brines in the wet bins prior to shipment back to generators from WIPP after Test Phase (if required).</p>	<p>NMED indicated that requests for permit modifications would be in order for those issues which would require changing in the future (i.e. modifications in the approved management of brines from the wet bins).</p>
<p>Nature of Permit.</p>	<p>DOE indicated that it was not seeking an RD&amp;D permit, but an operational permit due to the time constraints and other constraints associated with RD&amp;D permits.</p>	<p>April 15, 1985 Federal Register notice contains language concerning permits; DOE and NMED will check this notice for further guidance.</p>
<p>Number of Permit Applications required.</p>	<p>DOE indicated that it viewed the Part B as one permit application for multiple units, and did not see the need for submitting a second permit application for the Waste Handling Building since DOE intended to include all applicable information for the WHB within the application modifications.</p>	<p>NMED agreed that the application is viewed to cover the Waste Handling Building and the Subpart X unit(s).</p>
<p>Permit Conditions and Compliance Schedules relative to SW-846 methodologies.</p>	<p>Discussed whether compliance schedules or permit conditions are required if DOE acquires EPA approval (successful equivalency demonstration) of a method prior to utilization.</p>	<p>NMED would allow use of any EPA approved methodology, and did not believe that this specifically would require a permit condition to address (built into the process). NMED will examine EPA equivalency demonstration procedure to be sure it is acceptable to State.</p>

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Request for Clarification.	DOE provided a request for clarification letter. DOE indicated that it will provide process knowledge (relating to waste generation) for INEL and RFP wastes within the application, and had two principal waste characterization activities which they wanted to avoid: 1) characterization of wastes at the WIPP site; and 2) chemical characterization of Group I (heterogeneous) waste.	None; NMED will examine request for clarification letter and indicate level of detail required for process knowledge.
Site Visit, Rocky Flats Plant.	DOE will arrange a site visit to examine waste generating processes and bin packaging at Rocky Flats for September 15 and 16, 1992.	None; NMED to provide list of participants.
Presentation of Verification information.	DOE will provide an engineer on Thursday, September 3 to discuss the WIPP waste verification process.	None.
 Process Knowledge.	Discussed general process knowledge information. DOE indicated that five bins have been packaged at INEL, and the oldest waste considered for the Test Phase was generated in 1970 and is retrievable stored at INEL. DOE indicated that waste-generating processes have generally remained unchanged, but anticipated problems with some manifests because, for example, CCl <sub>4</sub> (carbon tetrachloride) may be present in headspace but is not shown on a manifest and the presence of this compound is due to existence in the general air stream (not in waste itself), but therefore small quantities of the compound is present in the headspace of the drum/bin.	None. NMED will consider these issue in waste characterization assessments and in the clarification response.

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August 31 meeting notes (cont.)

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<p>Waste Analysis Plan.</p> 	<p>DOE indicated that the Waste Analysis Plan was developed so that a transition to the Operational Phase characterization could be made. DOE also indicated that it did not wish to include the physical waste characterization performed because it was generated to comply with other regulatory/Test Phase requirements, not RCRA, and would therefore be costly to modify to fit RCRA standards.</p>	<p>NMED will examine the RCRA requirements relative to physical waste characterization, and include as part of the clarification letter.</p>
<p>Envelope Concept.</p>	<p>Previous correspondence between DOE and NMED indicated that the "envelope concept" would not be used. DOE indicated that this concept applied to the Type I-IV categorization included in the first permit application submitted. The second application did not include this waste designation, and therefore the envelope concept was not being used.</p>	<p>None.</p>
<p>LDR discussion.</p>	<p>DOE did not want to include discussion of LDR issues in Chapter C. NMED pointed out that in checklists/regulations, LDR discussion is warranted in this chapter.</p>	<p>NMED will provide additional discussion in clarification letter.</p>
<p>HSWA permit.</p>	<p>NMED indicated that the permit must also include a HSWA permit, issued by USEPA (New Mexico has not acquired HSWA authorization yet).</p>	<p>NMED will contact Region VI concerning this issue.</p>
<p>Chapters D and I.</p>	<p>Meeting concerning these chapters is postponed. Discussed having this meeting after the Sept. 15 and 16 field trip to Rocky Flats, and having the meeting in Denver since all personnel to attend the meeting will be in Denver at that time.</p>	<p>NMED agreed that this was a consideration, and would examine internal scheduling to confirm.</p>