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NMED/DOE WIPP PART B PERMIT APPLICATION REVIEW
Summary of Technical Issues

September 14, 1992 Meeting

Participants:

Susan Collins, NMED
Jack Johnson, Westinghouse
Larry Ledford, Westinghouse
Bob Kehrman, Westinghouse

Daryl Mercer, DOE
John Darabaris, A.T. Kearney
Greg Starkebaum, A.T. Kearney
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ITEM	DISCUSSION	CONCLUSIONS/FURTHER ACTIONS
<p>Agencies overseeing physical closure of the mine after removal and decontamination of equipment and structures.</p>	<p>NMED indicated that the physical sealing and backfilling of the mine will not be considered part of RCRA closure if another regulatory agency provides guidelines and will approve the physical closure of the mine. DOE indicated that physical closure of the mine is covered by requirements of BLM. However, the land withdrawal legislation may change the facility landlord from BLM to DOE. There will be an agreement between the two agencies which can include mine closure if required. DOE is not convinced that physical mine closure is a RCRA issue after all hazardous waste and residues have been removed. NMED indicated that regulatory authorities under Miscellaneous Units in 264.601 are very broad.</p>	<p>NMED agreed to discuss this issue internally and provide an answer.</p>

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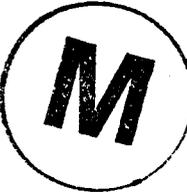
NMED/DOE WIPP PART B PERMIT APPLICATION REVIEW (Con't.)

ITEM	DISCUSSION	CONCLUSIONS/FURTHER ACTIONS
<p>Modification of test phase permit versus new permit application.</p> <p style="text-align: center;"></p>	<p>DOE is planning to seek a modification of the test phase permit at the end of the test phase in order to operate the disposal phase. DOE considers the test phase as only a portion of the long term unit, especially since they are not changing the facility. NMED indicated that they have always considered that a new permit will be issued for the operational phase and requested copies of previous meeting notes if NMED indicated that a modification would be acceptable. ATK indicated that the actual mechanism of modification versus new permit may not be critical from a regulatory standpoint. DOE is not necessarily against a new permit, as long as they will not be required to complete closure (including brine removal and treatment) under the test phase permit if they are obtaining an operating permit. ATK indicated that the test plans call for the brine to be removed from the bins at the end of the test phase. DOE indicated that the existing test plans have been thrown out and new ones are being prepared.</p>	<p>NMED agreed to discuss the issue internally and provide an answer. Obtaining a new permit for the operational phase will not necessarily require DOE to complete all of the closure requirements for the test phase permit.</p>
<p>Identification of facilities which will receive waste at closure of Bin Scale Test Rooms.</p>	<p>This issue was discussed in the Friday, 9/11/92 meeting.</p>	<p>DOE will describe the steps which will be taken to locate a site which will receive the test phase waste at closure. DOE will also identify candidate sites and the types of requirements generator sites will have on wastes which return.</p>
<p>Submittal of amendments to closure plans for early closure.</p>	<p>DOE does not want to be locked into a specific date to begin closure. The closure schedule will note day zero as the start of closure. NMED indicated that the comment was in regard to early closure caused by a problem in the repository, and the closure plan in the application actually discusses amended closure plans.</p>	<p>DOE indicated they would change the closure plan to remove references to amended closure plans and also discuss partial closure activities.</p>

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	<p>Brine handling preliminary plans in 1990 test plan; Addendum No. 1; and 1990 Waste Retrieval Plan are "invalid," examples of SNL overstepping assigned responsibilities, intruding into operational planning. Westinghouse and contractors will prepare more definite brine removal and treatment plans (as stated in Test Plan Addendum, page 83). ("Treatment" terminology is being avoided in an effort to limit additional requirements.)</p>	<p>Brine handling will be done within Panel 1 rooms. Check definition of treatment. See if it applies to containers. Additional requirements could apply for any new units needed for treatment (tanks) of brine at closure. Will check EPA Policy Compendium.</p>
<p>Time allowed for closure.</p> 	<p>NMED was concerned about the amount of time required to remove waste from the Bin Scale Test Rooms. DOE indicated that the "Rad Con" activities require a lot of time and cannot really be shortened without creating potential safety problems. NMED indicated that a description of these activities would enhance the application. NMED also asked what volume of waste was driving the closure time. Was the 28-month closure time to remove 233 bins or the full 8500 drum equivalents from the Test Phase.</p> <p>NMED was also interested in whether closure time could be reduced in an emergency situation. DOE may also forward reference to the contingency plan for information on closure procedures for abnormal events. Plan A may be for normal operations. Plan B may be for an indication of roof failure, and Plan C may be for a roof fall. DOE will decide how to approach.</p>	<p>DOE will describe the "Rad Con" activities to demonstrate the necessity of the closure schedule. DOE will also revise the closure section to discuss the time required to close the Bin Scale Test Rooms.</p>
<p>Adequate warning of roof closure or collapse.</p>	<p>DOE indicated that collapse of the roof will not be allowed so that the monitoring system will not really provide a prediction of failure. The geomechanical monitoring system will provide information on closure rates so maintenance can be performed.</p>	<p>DOE will provide action levels for determining when room or roof maintenance is required.</p>

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<p>Certification of designs, plans and drawings.</p>	<p>This issue was discussed in the Friday, 9/11/92 meeting. NMED discussed that since WIPP is a federal facility which does not impact the public, the state board does not have jurisdiction. DOE indicated there were two parts to this issue. The first is the mechanics of certification of the documents and it is apparent that certification is not required. The second is to assure the public that WIPP is properly designed and reviewed. DOE will describe the process used for review of designs. NMED also requested that a disclaimer similar to the Oak Ridge disclaimer be included on WIPP drawings.</p>	<p>None.</p>
<p>Summary of other regulatory agency requirements for the design and installation of the repository and support systems.</p>	<p>DOE indicated that to a great degree the agency is self regulating. DOE described the procedures used to ensure independent review of designs. DOE also described the agreements they have with other agencies.</p>	<p>If requested by NMED, DOE will provide an explanation to NMED of the DOE safety and analysis process.</p>
<p>Description of test bin types.</p> 	<p>ATK requested DOE provide a matrix or some other way to describe what waste goes in what bins and when. DOE indicated that all waste types can go in all containers at any time. The initial tests in type 1 bins will help determine what waste generates gas. The gas will be purged from type 1 bins. This may provide data on what waste should be tested in type 2 bins, where pressure will be allowed to accumulate. The purpose of performing tests is to simulate different stages of WIPP within the bins.</p>	<p>DOE is willing to describe the types of bins and the methods used to protect human health and the environment. They do not want to be limited in the types of waste which can be placed in a bin type.</p> <p>Details of the type 2 bins may not be available by the permit application cut off date. DOE may request that final design information be submitted as a permit condition. NMED indicated that this may not be acceptable since the public will not have a chance to review and comment.</p>

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Open container practices in WHB.	This issue was discussed and explained during the 9/11/92 meeting. Discussion today that the bins are never opened in the WHB or the underground - all hose connections are valved. Purging of oxygen from bins does discharge to the building heating and ventilation without monitoring or treating for volatiles. However, the levels of VOCs placed in the bins at the generator sites must be very low in accordance with the No Migration Variance Petition. As a result, VOCs will not be released during purging of oxygen at the WHB.	None.
Information request 36 regarding emplacement.	NMED indicated that specific information request number 36 will be withdrawn from the document.	Same.
Information request number 51.	NMED indicated that specific information request number 51 will be withdrawn from the document.	Same.

