Dear Mr. Neill:

In reference to your letter of December 30, 1992 regarding the Technical Needs Assessment document (TNAD) and the Department of Energy’s (DOE's) Part B permit application, we do not believe there is a "discrepancy" between the two documents though the numbers you cite are indeed different. The permit application does not address either alcoves or Type 2 bins, and it states that there will be a maximum of 172 Type 1 bins. To date, the number of Type 1 bins specified in the TNAD is well below the 172 bin limit requested in the Part B application.

Aside from specifying the maximum number of drum equivalents for alcoves in the Part A permit, the DOE has not yet addressed either alcoves or Type 2 bins in a permit application. Plans for alcoves and Type 2 bins are being refined. The DOE will submit an application for permit revision when sufficient technical and programmatic detail is available.

The Resource Conservation and Recovery Act (RCRA) permitting process is a method by which the regulator determines if a facility can be operated in compliance with the regulations which provide for the protection of human health and the environment. By providing facility capacity parameters (typically by assigning maximum values) for a facility's hazardous waste operations, the regulator is afforded information needed to make sound decisions regarding the permit. Once permitted, the facility must operate within the parameters so-established. If the DOE’s permit application is approved as written, the WIPP will be allowed to operate up to 172 Type 1 bins. As you know, we will most likely operate with significantly fewer bins.

The TNAD provides an analysis of experimental requirements for bin-scale tests based on one approach to evaluating gas generation phenomena. It focuses on current available laboratory information and modeling efforts, an approach to calibrate and improve the predictive capabilities of the gas generation model, and determining the minimum transuranic waste experimentation to achieve technical
and programmatic project goals. Scientific and regulatory considerations led to a three tiered approach:

1. **Specifically planned tests** - individual bin experiments to address specific gas generation mechanism, combinations of mechanisms, and time frames with the life cycle of a disposal panel;

2. **Conditionally planned tests** - individual bin experiments to address potential uncertainties in specifically planned bin test results and engineered alternatives; and

3. **Contingency** - bin or alcove tests to address currently unidentified uncertainties, to address EPA requirements, etc.

The final bin-scale testing effort at the WIPP facility may involve bins from each of these three tiers. However, the DOE is confident that any requirements can be accommodated within the 0.5% waste capacity limitation imposed by the Land Withdrawal Act.

If you have any additional questions, please contact Les Gage of my staff at 845-5983.

Sincerely,

W. John Arthur, III  
Project Director  
WIPP Project Integration Office

cc:
L. Gage, WPIO  
J. Mewhinney, WPSO  
J. Kenney, EEG