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OUTLINE PROPOSED COMPLIANCE CRITERIA

Subpart A - General Provisions

Subpart B - Compliance Certification and Determination Applications

Subpart C - Compliance Certification and Determination

Subpart D - Public Participation

Subpart A--General Provisions

- 194.01 Purpose, scope, and applicability.**
- 194.02 Definitions.**
- 194.03 Communications.**
- 194.04 Conditions of compliance certification and determination.**
- 194.05 Publications incorporated by reference.**
- 194.06 Alternative provisions.**

Subpart B Compliance Certification and Determination Applications

- 194.11 Completeness and accuracy of compliance applications.**
- 194.12 Submission of compliance applications.**
- 194.13 Submission of reference materials.**
- 194.14 Content of compliance certification application.**
- 194.15 Content of compliance determination application(s).**

Subpart C Compliance Certification and Determination

GENERAL REQUIREMENTS

- 194.21 Inspections.**
- 194.22 Quality assurance.**
- 194.23 Models and codes.**
- 194.24 Waste characterization.**
- 194.25 Future state assumptions.**
- 194.26 Expert judgment.**
- 194.27 Peer review.**

CONTAINMENT REQUIREMENTS

- 194.31 Application of release limits.**
- 194.32 Scope of performance assessments.**
- 194.33 Consideration of human-initiated processes and events.**
- 194.34 Results of performance assessment.**

ASSURANCE REQUIREMENTS

- 194.41 Active institutional controls.**
- 194.42 Monitoring.**
- 194.43 Passive institutional controls.**
- 194.44 Engineered barriers.**
- 194.45 Consideration of the presence of resources.**
- 194.46 Removal of waste.**

INDIVIDUAL AND GROUND-WATER PROTECTION REQUIREMENTS

- 194.51** **Consideration of protected individual.**
- 194.52** **Consideration of exposure pathways.**
- 194.53** **Consideration of underground sources of drinking water.**
- 194.54** **Scope of compliance assessments.**
- 194.55** **Results of compliance assessments.**

Subpart D--Public Participation

- 194.61 Advance Notice of Proposed Rulemaking.**
- 194.62 Notice of Proposed Rulemaking.**
- 194.63 Notice of Final Rule.**
- 194.64 Documentation of continued compliance.**
- 194.65 Dockets.**

FUTURE ACTIVITIES

February 1995 - Technical Workshop

March 1995 - Hearings in New Mexico

Summer 1995 - NACEPT Meeting

February 1996 - Publish Final Rule

TECHNICAL WORKSHOP

Purpose: To provide a forum for discussion of WIPP compliance issues.

Issues:

- **Evaluating the effectiveness of passive institutional controls**
- **Assuring the quality of radioactive and hazardous waste characterization**
- **Assuring the quality of "old" data**
- **Considering the effects of climate change**

Format:

- **EPA Explication of Issue**
- **Guest Presentations**
- **Round-Table Discussion**
- **Opportunity for Public Comment**

2/21/95

THE OFFICE OF RADIATION AND INDOOR AIR'S

PROPOSED

40 CFR PART 194

COMPLIANCE CRITERIA

FOR THE

WASTE ISOLATION PILOT PLANT



WIPP Land Withdrawal Act (PL 102-579) requires EPA to:

- **Promulgate final radioactive waste disposal standards (40 CFR 191).**
- **Issue criteria for evaluating whether WIPP complies with the disposal standards.**
- **Certify" whether the WIPP complies with the disposal standards.**
- **Determine" whether the WIPP continues to be in compliance every five years after initial receipt of waste for disposal.**

DISPOSAL STANDARDS (40 CFR 191)

Final standards published--December 20, 1993

Subpart A - Management and Storage

Subpart B - Disposal

Containment Requirements

Assurance Requirements

Individual Protection Requirements

Subpart C - Ground-Water Protection Requirements

GENERAL APPROACH

WIPP LWA: ".....the Administrator shall.....issue criteria for the Administrator's certification of compliance with the final disposal regulations....."

GOALS:

- **Clarify implementation requirements of the disposal regulations**
- **Establish level of confidence needed for the Administrator's certification**
- **Determine procedural aspects of the rulemaking on the Administrator's certification** (*publ participation, etc.*)