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
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 (pub participation, etc.)