

# Attorney General of New Mexico



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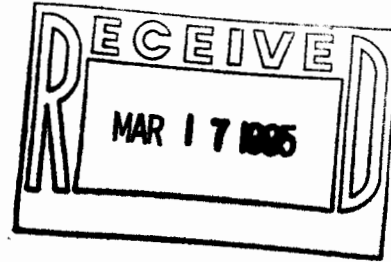


TOM UDALL  
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March 15, 1995

Mr. George E. Dials  
Manager, Carlsbad Area Office  
U.S. Department of Energy  
P. O. Box 3090  
Carlsbad, NM 88221



Dear George:

This letter contains comments on the RH-TRU Implementation Plan, forwarded to this office on January 31, 1995.

1. We recently obtained a schedule of CH-TRU and RH-TRU quantities, listed by site, which shows a total of RH-TRU at all sites as 1,675,820.07 cubic feet, stored and projected. This document is enclosed. Would you please explain the origin of this document and how this quantity was calculated? Does this document supersede previous estimates of the quantity of RH-TRU planned for disposal at WIPP? How does the recent estimate of RH-TRU compare with the limitation in Section 7(a) of the WIPP Act?

2. Will the RH-TRU study be used in any way to support a compliance determination application to EPA? (p. 1) How will it be used?

3. The plan says that the study will be limited to post-closure repository performance. Since the WIPP Land Withdrawal Act calls for the study to be performed in consultation with affected states, and since the statute requires analysis of the impact of RH-TRU on PA and on other factors, it can be inferred that transportation and handling and operations are also to be addressed.

4. The plan says that differences between the effects of RH-TRU and CH-TRU will be examined using Baseline Inventory Report data and supporting information. The BIR Rev. 0 data are not defensible for performance assessment purposes, and BIR Rev. 1 is overdue and not yet issued. Moreover, plans have already been made for a follow-up data call to generate a further revision of the BIR. In these circumstances, it cannot be assumed that sufficient characterization data exist to support the study.

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5. At present I do not know of any radionuclide inventory data by waste stream. Do such data exist for CH-TRU or RH-TRU?

6. Do data exist for RH-TRU waste streams which quantify characteristics relevant to gas generation, flammability, explosiveness, solubility, and brine and geochemical interactions? What data are those?

7. How is it that the "volumes, weights, and other units of the various components of RH waste will be identified?" (p. 2) What process of characterization will be carried out, and when will it be completed? When will RH-TRU sampling capabilities be operational at sites with RH-TRU waste?

8. The plan assumes that the inventory and constituents of RH-TRU waste will be characterized in time to carry out the studies called for (p. 4) What is the basis for this assumption? What is the fallback plan, if the assumption proves incorrect?

9. How will the study "[i]dentify the waste parameters that are significant to the performance assessment." (p. 2)

10. How will DOE evaluate the baseline RH-TRU waste configuration, including packaging, shielding, and actual waste volumes" (p. 2) by June 1995, when DOE does not plan to have even a draft application submitted to EPA until after that date?

11. The plan assumes that the SPM baseline is defensible as a PA analysis, which has yet to be established. It also assumes that the baseline will show compliance and validly so. These assumptions are quite uncertain at present; indeed DOE personnel have said that they do not know whether compliance will be shown. A comparison between CH-TRU and RH-TRU as they affect PA cannot be made without a valid showing of compliance with PA standards.

Thank you for considering these comments. We look forward to your response.

Best regards,



LINDSAY A. LOVEJOY, JR.  
Assistant Attorney General

LAL: mh

# TRU Waste at Generator/Storage Sites

Contact-Handled

Remote-Handled

Site	Stored Volume (Cubic Feet)	Projected (Cubic Feet)	Stored Volume (Cubic Feet)	Projected (Cubic Feet)
ANL -- East	1,028.70	59.33	0.00	0.00
Hanford	329,385.33	749,952.82	747.70	1,612,737.06
INEL	1,225,005.93	70.63	984.91	529.71
LANL	383,541.12	271,013.76	3,224.17	2,919.06
LLNL	7,314.59	24,309.45	0.00	0.00
Mound	9,268.51	0.00	0.00	0.00
Nevada Test Site	21,877.02	0.00	0.00	0.00
ORNL	27,650.16	9,319.36	35,095.41	12,596.50
Rocky Flats	40,015.35	208,404.16	0.00	0.00
Savannah River	515,721.77	521,474.78	0.00	0.00
11 Minor Sites	496.16	7,197.35	1,341.58	5,643.99
<b>Totals</b>	<b>2,561,304.64</b>	<b>1,791,801.64</b>	<b>41,393.76</b>	<b>1,634,426.31</b>

**CH Grand Total = 4,353,106.28**

**RH Grand Total = 1,675,820.07**

## **Remote-Handled (RH) Waste**

An RH-TRU Waste Disposal Strategy document was drafted in February and presented to the TRU Waste Steering Committee for review and comment. The RH strategy consists of 1) plans for initial waste disposal and 2) plans for sustained and efficient disposal. The strategy for initial waste disposal focuses on packaging waste currently stored at ORNL for disposal by the year 2002. The strategy for sustained and efficient disposal consists of evaluating various alternatives to the existing baseline; developing a waste work-off plan for waste delivery to WIPP; determining whether the generator/storage sites, transportation system, and WIPP disposal system can accommodate the work-off plan; and evaluating each of these systems for any efficiencies that might improve waste disposal. This strategy document is scheduled for completion by March 31, 1995.

Since much of the RH-TRU waste will require some form of treatment or processing to comply with the Waste Acceptance Criteria (WAC), alternatives for the location of treatment facilities and alternative combinations of RH-TRU support facilities will be evaluated. The Programmatic Environmental Impact Statement (PEIS) alternatives of two and five treatment locations are being evaluated in combination with packaging and transportation alternatives. Different RH-TRU waste throughput rates at WIPP are also being used in the analysis for those emplacement alternatives that prove viable. The evaluation of alternatives will be developed over the next few months.

At ORNL, an all-day forum was held with representatives from engineering, chemical technology, operations, and outside consultants to develop minimum requirements for an RH-TRU processing facility. The information developed at this forum will be used to develop feasibility and cost estimate for performing work in existing facilities.

## **Program Assessment & Certification**

The NTPO reviewed and discussed the scope, schedules, assumptions, and other programmatic details concerning revising the WAC from Revision 4 to Revision 5. The scope of Revision 5 will include modifying requirements in accordance with the latest draft RCRA Part B application, the TRUPACT-II Safety Analysis Report for Packaging (SARP) revisions since December 1991, and the latest revision of the Quality Assurance Program Plan. The scope of Revision 5 will also include modifying criteria per the latest Draft Compliance Package developed for WIPP compliance to 40 CFR 194, No Migration Variance Petition and the System Prioritization Methods II. The project is scheduled to start in March 1995.