State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
525 Camino de los Marquez
P.O. Box 26110
Santa Fe, New Mexico

Phone (505) 827-4308
Fax (505) 827-4389

FAX COVER SHEET

Date: July 3, 1995
To: Secretary Weidler, Deputy Secretary Thornton, Director Kelley
Company: NMED
Telephone: 827-2834
Fax: 827-2836

From: Steve Zappe
Number of Pages (including this cover sheet): 4

COMMENTS

Here is the Gantt chart showing the anticipated schedule for WIPP RCRA permitting activities. The scheduled completion date of May 30, 1997, has some leeway in it, but is still well ahead of DOE's WIPP Disposal Decision Plan date of December 1997. Also, it agrees with George Dials' public statements of anticipating a permit by mid-1997. The final sheet depicts the RCRA permitting process as a flow diagram and has some additional information which may be helpful to you. Call if you have any questions.

P.S. I also faxed a copy of this schedule to Messrs. Sgobba, Semick, and Slocum from the GAO who attended last week's meeting with you, as well as the DOE Carlsbad Area Office.
COMMENTS

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June 3, 1995

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FAX COVER SHEET

Date: July 3, 1995
To: Craig Snider
Company: DOE/CAO
Telephone: 505/234-7452
Fax: 505/887-0292

From: Steve Zappe, RCRA Permits

Number of Pages (including this cover sheet): 2

COMMENTS

Here is the Gantt chart showing the anticipated schedule for WIPP RCRA permitting activities. I provided this to the NMED Secretary's office and also to Messrs. Victor Sgobba, Daniel Semick, and Glenn Slocum from the GAO who attended a meeting last week with the Secretary. Call if you have questions.
<table>
<thead>
<tr>
<th>ID</th>
<th>Name</th>
<th>Duration</th>
<th>Sched Start</th>
<th>Sched Finish</th>
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<tbody>
<tr>
<td>1</td>
<td>Receive Part B, Rev 5</td>
<td>0d</td>
<td>5/31/95</td>
<td>5/31/95</td>
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<tr>
<td>2</td>
<td>Administrative Review</td>
<td>44d</td>
<td>6/1/95</td>
<td>8/1/95</td>
</tr>
<tr>
<td>3</td>
<td>Issue Administrative NOD</td>
<td>0d</td>
<td>8/1/95</td>
<td>8/1/95</td>
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<tr>
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<td>Administrative NOD Response</td>
<td>22d</td>
<td>8/2/95</td>
<td>8/31/95</td>
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<tr>
<td>5</td>
<td>Technical Review</td>
<td>90d</td>
<td>9/1/95</td>
<td>1/4/96</td>
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<tr>
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<td>Issue Technical NOD</td>
<td>0d</td>
<td>1/4/96</td>
<td>1/4/96</td>
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<tr>
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<td>Technical NOD Response</td>
<td>22d</td>
<td>1/5/96</td>
<td>2/5/96</td>
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<tr>
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<td>2/5/96</td>
<td>7/29/96</td>
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<tr>
<td>9</td>
<td>Public Notice/Comment</td>
<td>32d</td>
<td>7/30/96</td>
<td>9/11/96</td>
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<tr>
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<td>Public Meetings</td>
<td>22d</td>
<td>9/12/96</td>
<td>10/11/96</td>
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<tr>
<td>11</td>
<td>Response to Comments</td>
<td>22d</td>
<td>10/14/96</td>
<td>11/12/96</td>
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<tr>
<td>12</td>
<td>Public Hearings</td>
<td>22d</td>
<td>11/13/96</td>
<td>12/12/96</td>
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<tr>
<td>13</td>
<td>Finalize Permit</td>
<td>75d</td>
<td>12/13/96</td>
<td>3/27/97</td>
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<tr>
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<td>Submit to NMED Secretary</td>
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<td>23d</td>
<td>3/28/97</td>
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<td>Permit Notice of Decision</td>
<td>23d</td>
<td>4/30/97</td>
<td>5/30/97</td>
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<td>Final Permit Decision</td>
<td>0d</td>
<td>5/30/97</td>
<td>5/30/97</td>
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</tbody>
</table>

Notes to WIPP RCRA Permit Schedule:

1) Scheduled dates and durations are estimates as of 6/30/95, and do not reflect discussions with technical contractor.
2) Duration days are working days, not calendar days.
3) Some activities may not occur (e.g., Public Hearings), but have been included for completeness. Other activities may occur more than once (e.g., Issue Technical NOD).
4) Some activities may occur simultaneously (e.g., Public Notice/Comment and Public Meetings).
5) Some activities have relatively certain durations (e.g., Public Notice/Comment) due to regulatory requirements. Other activities have highly uncertain durations (e.g., NOD Responses) due to the initial adequacy of the application and the applicant's ability to fully respond in a timely fashion.
PERMITTING PROCEDURES

Operating Permits

Submit Application Information
- Part A
- Part B

Administrative Review Parts A & B
- All regulatory subjects addressed
- Requests for additional information
- Additional information reviewed
- Completeness determined
- Fee assessed

Quality of application determines the review timeline; average application requires 120 working days or 22 weeks to review.

Technical Completeness (Part B)
- Technical Review determines the applications adherence to technical regulations.
- Requests for additional information
- Additional information reviewed
- Completeness determined

Draft Permit
- Document is crafted
- Public notice issued

Public Comment Period
- Regulations require a 45 day public comment period
- NMED holds a public meeting
- Public comments reviewed and incorporated into draft permit

Public Hearing if held adds 90 working days.

Permit sent to Secretary for Decision
- Signed permit becomes effective 30 days after signature

Maintenance Period of Permit - 10 years
- Permit Modifications
  - Class I review and approval - 90 working days
  - Class II review and approval - 120 working days regulatory requirement - 60 day public comment period
  - Class III review and approval - 180 working days regulatory requirement - 60 day public comment period
- Closure Plans - unit(s) close
  - Review of Plan
  - Approval includes 30 day public comment period
  - Closure Certification
- Post Closure Permit (unit(s)) monitoring of releases (Post Closure Care Period approximately 30 years)
  - Similar to permit process

Average NMED FTE does approximately 3 facilities:
- 2 new permits
- 5 permit maintenance activities per year

EPA takes an average of:
- 3 to 5 years for a new permit
- 1 to 1.5 years for a new R&D permit

--- Applicant Control
--- State Control
--- Public Control