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To Steve Zappe

Date 10-31

Company NMED

Fax Number _____

From Nancy for Connie Walber

Number of Pages (Including this Page) 4

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951036



MEMO

TO: Steve Zappe
FROM: Connie Walker
RE: Comment Revisions, Chapters A, B, and C
DATE: October 31, 1995

Attached are revisions for Chapter C specific comment nos. 64, 70, and 72. Also included is some general language regarding the LDR issue, that has been added into specific comment no. 95. In addition, the following modifications were to be addressed by NMED:

- Expand on General Comment No. 1, Chapter A, and remove Specific Comment No. 4, Chapter A
- Move the issue expressed in Specific Comment No.16, Chapter B, to the cover letter
- Also in the cover letter, add language indicating that while the specific lines identified in the comment indicate where the issue expressed in the comment was raised, this does not mean that this is the only location in the chapter that will require revision to address the concern.
- NMED will examine the language in Specific Comment No. 1, Chapter C, relative to inclusion of certification requirements
- NMED will determine whether Specific Comment Nos. 105 and 106 should remain in the Information Request, as they deal with off-site transport information
- NMED may consider indicating that additional information relative to audit programs, verification processes, etc., will be required (as permit conditions) should the NMVD not be completed prior to issuance of the Part B permit.

NMED might also consider adding a requirement, in the cover letter, that DOE examine the specific organization of Chapter C to ensure consistent "sublevels" (e.g. sometimes they underline a sublevel where the same level is given a numerical identifier in other locations). Please let me know if you need anything else. I will be out of the office on Wednesday and Friday of this week, but will be calling in for messages.

64. **Chapter C, C-5 Verification of TRU Mixed Waste, Section C-5a, Phase I Waste Shipment Screening and Verification, Page C-26, Line 26; and Page C-27 Line 1.**

This section uses the terminologies "acceptance" and "approval," respectively, in conjunction with Phase I. Section C-5b Page C-27, Lines 1 and 7, also use the terminologies "acceptance" and "approval," respectively, in conjunction with Phase II. However, EPA's guidance manual (Waste Analysis at Facilities that Generate, Treat, Store and Dispose of Hazardous Wastes) indicates the term "pre-acceptance" should be used when discussing Phase I, and the term "acceptance" should be used when discussing Phase II. Revise the permit application to properly and consistently use the terms "pre-acceptance" and "acceptance".

70. **Chapter C, C-5 Verification of TRU Mixed Waste, Section C-5a, Phase I Waste Shipment Screening and Verification, Page C-26, Lines 36 and 37.**

This states "the waste stream...has been adequately characterized for disposal according to...the QAPP DQOs." Although this statement references the QAPP DQOs, the QAPP DQOs are insufficient as presented in the 1995 QAPP Section 1.0. The QAPP DQOs do not match the similarly inadequate WAP DQOs as presented in the permit application on Page C-21 Line 26 through Page C-22 Line 16 (See Specific Comment No. 46). Since the DQOs are so poorly presented, it is impossible to determine if adequate characterization can occur based on those DQOs. Revise the permit application to either provide or reference a sufficient discussion of DQOs.

72. **Chapter C, C-5 Verification of TRU Mixed Waste, Section C-5a, Phase I Waste Shipment Screening and Verification, Page C-27, Lines 4-6.**

This segment states that if waste discrepancies arise, the generator will be contacted and required to provide additional information to resolve the discrepancy before any waste container can be shipped to the WIPP. However, the previous portion of this section indicates that Phase I verification will be based upon the Waste Profile Form, which is generated for each waste stream, not each container. It is therefore unclear how the individual container information will be included in the Phase I verification process. Revise the permit application to include a more concise and detailed description of this process. Additionally, the permit application does not indicate the personnel position at the WIPP which will have the responsibility, authority, and accountability to contact the generator in the case of a discrepancy. The permit application also does not specify the personnel position at WIPP which will acquire the necessary additional information from the generator to resolve the discrepancy. Revise the permit application to provide this information.

95. **Chapter C, C-5 Verification of TRU Mixed Waste, Section C-5b, Phase II Waste Screening and Verification, Examination of Land Disposal Restriction Notice, Page C-30, Line 2.**

This section states that the wastes will be in conformance with conditions of the NMVD. However, the No Migration Variance Petition schedule is different that for the permit application, and it is not conclusive that the NMVD will be granted. Therefore, the permit application must be revised to indicate that waste will meet LDR requirements or the current standard, given that the current standard could mean NMVD requirements. Revise the permit application to state this. Also, there are no mechanisms in place to determine that this conformance assessment will occur. Revise the permit application to indicate how LDR compliance conformance will be ensured.

HRMB comments on WIPP RCRA Part B, Rev 5, Chapter C

Page	Line	Comment
i	1	If "Acceptable Knowledge" (which is not specifically defined) is <u>not</u> acceptable, are other waste characterization activities adequate for allowing waste acceptance at WIPP?
1	7	What manual is this? (EPA Manual on waste analysis - we have copies)
1	17	Needs to include how WIPP assures that WAP is being implemented at generator sites. (QAPP, QAPjPs, SOPs - Page C-20, line 25) Certification at origin by generator is potentially the weakest link in the process.
1	23	Permit not for R&D, but for <u>disposal</u> !!
1	25	Does this mean separate application for disposal? (no - management of waste for disposal = disposal)
2	6	Need to state that characterization will demonstrate that wastes meet LDR or acceptable standards prior to emplacement at WIPP - NMED will enter permit conditions.
2	18	Do we have enough info in the WAP to evaluate regulatory compliance with waste characterization?
2	20	Is this oversight (DOE only) sufficient - State involvement, public perception of DOE self-regulating? What management (who) will oversee/audit?
2	23	Key issue! (WAP designed to use both sampling/analysis <u>and</u> acceptable knowledge)
2	27	Need more specific citation (recent EPA guidance on acceptable knowledge - we have copies)
2	30	Does the State buy off on acceptable knowledge defined <u>somewhere</u> ?
2	30	Not a given that this (acceptable knowledge used alone) will be accepted by State - need specifics to waste stream.
3	1	Acceptable to whom?
3	7	Should the QAPP be an attachment to the permit, or only excerpts included? Or simply referenced only and not attached?
3	9	Stored waste will be characterized... How? AK? (see Fig C-1)
3	14+	Need consistent definitions and use of terms throughout this chapter: Waste Matrix Parameters - are these Waste Material Parameters on Table 10-1 of QAPP?
3	32	Visual examination is not discussed in Section C-2, partially in QAPP - detailed only in DOE TRU Methods Manual
3	34	? (Radio assay - radiation detection technique)
4	12	? (All waste sampling to be done at generator sites, as allowed by 20 NMAC 4.1...)
4	25	Why? (waste char. methods may differ between CH & RH waste)
4	27	Inadequate discussion of RH waste analysis methods - to be developed.
5	8	When/where do we regulate? Map, where defined? (controlled area outside Waste Handling Bldg) What is the unit boundary? When is waste "received" and regulation start?
5	8	What is the area permitted, consistent with "No-Migration"?
5	14	If rad is present is it assumed haz waste component is present? What about haz waste component without rad component (i.e., VOCs)?
5	15	If less than 1% liquid conditions are being met, what is possibility of spill? Are these really "free liquids" if they are in a bottle within a drum?
5	16	This is only a paper check (manifest), nothing to do with waste verification.
5	18+	Inconsistent - this section says container shipped back within 30 days to generator, page D-16, line 9+ says after 24 hours.

5	20	If container held for 30 days awaiting discrepancy resolution, isn't this storage?
5	35	Contamination surveys - only for rad?
6	2	This is all dependent on generator site waste characterization & container ID.
6	25+	What does this provide? (waste stream identification)
6	26	FFCA - have we approved other state's or is this part of WAP?
6	38	Define acceptable knowledge
6	38	? (what are the waste characterization requirements)
6	40	This needs to be limited to specific criteria (what constitutes AK)
7	10	What are generator site's definition of acceptable knowledge? This should be in WAP.
7	12	No statistical procedures are discussed in Appendix C6
8	8	Who in NMED will track the biennial report? (Anna)
8	10	Appears that little or no analytical sampling will be done on waste streams (See Figure C-1, C-2)
9	24	No S7000 (special waste forms) are listed in Table C-1
12	20	Why would you need this? (data on form may be transmitted electronically)
12	37	DOE assumes liability? (for ensuring wastes are not ignitable, reactive, etc)
14	15	Acceptable knowledge = knowledge of the process?
15	13	No further characterization of derived wastes - do we accept?
15	17	How do we distinguish if additional RCRA-regulated constituents are in derived wastes?
15	20	Need to verify (that hazardous constituents within the waste containers are known)
16	1	Is volume given for panels 1-8 or just 1? Exactly what is being permitted by this application?
16	39	Where is RA defined? (Page C-3, line 34+ and in QAPP)
17	9	? (environmental pathway analysis demonstration) - is this what is found in Appendix D9?
17	10	Assert VOC monitoring is not necessary - do we buy off on this?
19	1	? (stored waste)
19	15	How are statistics determined (for statistically selected portion for sampling)
20	13	"Acceptable knowledge is sufficient for characterization of debris." This is a major point...
20	26	Need NMED input/concurrence on appropriate data validation/usability and reporting controls
20	28	Currently, none of the controls assuring adequate waste characterization are to be included in the permit (QAPP, site QAPjPs, site SOP's)
22	8,14	Do we want mean/average concentrations, or concentrations ranges and distribution?
22	29	Is standardized format for reporting waste characterization data standardized across all generator sites, or at each one? If use at all sites, what does it look like? (provide an example)
22	34	How should state be involved in auditing program?
23	24+	Can waste containers from a particular waste stream be shipped for disposal before the waste stream is fully characterized? What is the significance of being fully characterized?

24	33	Who buys off on DOE sampling/analysis methods?
25	33	What is the # in statistically selected subpopulation? (10%?) - see App C4
26	31	What constitutes "sufficient waste stream characterization data" to certify a waste stream for shipment?
27	25	What does this mean? (verify completeness/accuracy based on audit experience and documentation) Who are the WIPP personnel doing this?
27	26	There isn't a one to one correspondence between the entry names and the Waste Stream Profile Form in Fig C-4.
28	3	Three verifications performed - verified against what criteria? where are they referenced?
28	41	NMED notified in the event of discrepancies? Where will these containers be stored while the discrepancies are being resolved?
29	6,8	Who are WIPP personnel?
29	8	Must the driver wait while the TRUPACT is unloaded? It seems the shipment can't be deemed complete until the bar codes on each drum is inspected and all other Phase II activities are complete (see Fig C-5). If anything wrong, is the manifest not signed and the driver detained? Not clear!
29	29	Missing word (using the applicable ... of the WWIS)
29	36	Need legal review (generator provide WIPP with LDR determination)
30	8	Do we have these for review? (written procedures for determination of shipment irregularities)
31	1	Need documentation of procedures for data verification
32	10	Incorrect reference - should be CAO-95-1076. Also correct the title...
Tab	C-1	Page C-69, KA-W016 lists EPA code D039 waste - not listed on Part A
Tab	C-2	The following should be indicated as being Appendix VIII hazardous constituents: 2-Ethoxyethanol, Isobutanol, 1,2-Dichloroethane, 1,1,1-Trichloroethane
Tab	C-2	The following are list as being Toxicity Characteristic Contaminants, but are not listed as D codes on Part A: Chlorobenzene (D021, F002), Tetrachlorethylene (D039, F001, F002), NitroBenzene (D036, F004), Pyridine (D038, F005). Only their corresponding F codes are listed on Part A.
Tab	C-5	Page C-81, under Total VOCs, Isobutanol and Trichlorofluoromethane are on Table C-7 but not here... Why? Also, typo: should be 1,1,1-Trichloroethane.
Tab	C-6	Trichlorofluoromethane is listed on Table C-5 under Headspace Gases, but is absent from this table... Why?
Fig	C-1	What doe * mean after waste streams* ?
Fig	C-2	Is random selection of 1 container/year or 1/process batch for homogeneous solids and soils acceptable?
Fig	C-2	Does newly generated waste refer to that generated at WIPP? (no, WIPP generates derived waste which is characterized by acceptable knowledge only - newly derived is defined on page C-3, line 8)
Fig	C-3	Is this the only indication of generator sites in the application, besides Table C-1? Do we want to require them to define locations WIPP would be receiving waste from and the conditions to be met before waste may be shipped?
Fig	C-4	Line 6: how will this be tracked? (name of original generator)
Fig	C-4	Make sure terminology on this form is consistent with narrative on page C-27.
Fig	C-4	Place provided for site project manager signature - where is the place for sign off of "WIPP personnel"?
Fig	C-5	Not sure who & how done (Phase I decision). If a determination is made that waste cannot be transported to WIPP, is that the end of the process, or can the generator come back with more characterization data? How are discrepancies handled at this stage (page C-27, 4+)?

Fig	C-5	Not sure who does this, defined as "WIPP Personnel" (Phase II decision). Where is waste stored during discrepancy resolution - this could take up to 30 days.
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