

HANEY

July 7, 1998



NMED Hazardous and Radioactive Materials Bureau
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Ph (505) 827-1561
Attn: Dr. Robert S. Dinwiddie

Dear Sir:

I have read through the draft permit and have included some questions and suggestions on the following pages. I thought the document was written well, but was so general I have to assume there must be hundreds of pages of attachments, etc.

Regards,

A handwritten signature in black ink, appearing to read "Tom Haney". The signature is stylized and cursive.

Tom Haney



I. MODULE I - GENERAL PERMIT CONDITIONS

I.A. EFFECT OF PERMIT

The Secretary of the New Mexico Environment Department (Secretary) issues this Permit to the United States Department of Energy (DOE), the owner and co-operator of the Waste Isolation Pilot Plant (WIPP) (EPA I.D. Number NM4890139088), and the Waste Isolation Division (WID) of Westinghouse Electric Company, a division of CBS Corporation (~~WID~~), the co-operator of WIPP. This Permit authorizes DOE and WID (Permittees) to manage, store, and dispose contact-handled transuranic (TRU) mixed waste at WIPP, and establishes the general and specific standards for these activities, pursuant to the New Mexico Hazardous Waste Act (HWA), NMSA 1978, §§74-4-1 et. seq. (Repl. Pamp. 1993) and the New Mexico Hazardous Waste Regulations, 20 NMAC 4.1.100 et. seq. Move acronym "WID" as shown? Is CBS defined? Is it Columbia Broadcast Company?

Compliance with this Permit during its term shall constitute compliance, for purposes of enforcement, with Subtitle C of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6901 et. seq., and/or the HWA, and/or their implementing regulations. Compliance with this Permit shall not constitute a defense to any order issued or any action brought under Sections 74-4-10.E or 74-4-13 of the HWA; Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §9601 et seq., commonly known as CERCLA) Sections 106(a), 104, or 107; or any other law providing for protection of public health or the environment. This Permit does not convey any property rights of any sort or any exclusive privilege, nor authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local laws or regulations. [20 NMAC 4.1.900 (incorporating 40 CFR §§270.4 and 270.30(g))]

I.B. PERMIT ACTIONS

I.B.1. Permit Modification, Suspension, and Revocation

This Permit may be modified, suspended, and/or revoked for cause as specified in Section 74-4-4.2 of the HWA and 20 NMAC 4.1.900 (incorporating 40 CFR §§270.41, 270.42, and 270.43). The filing of a request by the Permittees for a permit modification, suspension, or revocation, or the notification of planned changes or anticipated noncompliance, shall not stay any permit condition. [20 NMAC 4.1.900 (incorporating 40 CFR §270.30(f))]

I.B.2. Permit Renewal

The Permittees may renew this Permit by submitting an application for a new Permit at least one hundred eighty (180) calendar days before the expiration date of this Permit. In reviewing any application for a Permit renewal, the Secretary shall consider improvements in the state of control and measurement technology and changes in applicable regulations. [20 NMAC 4.1.900 (incorporating 40 CFR §§270.10(h) and 270.30(b))]

I.B.3. Permit Review

The Secretary shall review this Permit no later than five (5) years after the effective date of this Permit, and shall modify this Permit as necessary pursuant to Section 74-4-4.2 of the HWA and 20 NMAC 4.1.900 (incorporating 40 CFR §270.41). Such modification(s) shall not extend the effective term of this Permit specified in Permit Condition I.D.2. [20 NMAC 4.1.900 (incorporating 40 CFR §§270.41 and 270.50(b) and (d))]

I.C. DEFINITIONS

Unless otherwise expressly provided herein, the terms used in this Permit shall have the meaning set

forth in RCRA, HWA, and/or their implementing regulations.

I.C.1. Contact-handled Transuranic Mixed Waste

"Contact-handled transuranic mixed waste" means transuranic mixed waste with a surface dose rate not greater than 200 millirem per hour. [Pub. L. 102-579 (1992)] For consistency, if not specified elsewhere in this document (in which case the section should be referenced) the acceptable detector type for determining surface dose rates should be listed. The facility sending the waste could send the package as, for example, 190 mrem/hr using a Geiger Mueller; WIPP could survey with an ion chamber and the package might be greater than 200 mrem/hr.

I.C.2. Facility

"Facility" or "permitted facility" means the Waste Isolation Pilot Plant (WIPP) owned by the DOE and located approximately thirty (30) miles east of Carlsbad, New Mexico, EPA I.D. Number NM4890139088. The WIPP facility comprises the entire complex within the WIPP Site Boundary as specified in the WIPP Land Withdrawal Act of 1992, Pub. L. 102-579 (1992), including all contiguous land, and structures, other appurtenances, and improvements on the Permittees' land, used for management, storage, or disposal of TRU mixed waste. Including subsurface concerns, like ground water?

I.C.3. Permittees

"Permittees" means the United States Department of Energy (DOE), an agency of the Federal government, and the owner and co-operator of the WIPP facility; and the Waste Isolation Division of Westinghouse Electric Company (WID), a division of CBS Corporation, and the co-operator of the WIPP facility.

I.C.4. Secretary

"Secretary" means the Secretary of the New Mexico Environment Department (NMED), or designee.

I.C.5. TRU Mixed Waste

"TRU Mixed Waste" means transuranic mixed waste containing more than 100 nanocuries of alpha-emitting transuranic isotopes per gram of waste, with half-lives greater than 20 years, except for (A) high-level radioactive waste; (B) waste that the DOE Secretary has determined, with the concurrence of the EPA Administrator, does not need the degree of isolation required by the disposal regulations; or (C) waste that the Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with part 61 of title 10, Code of Federal Regulations. [Pub. L. 102-579 (1992)] The radiochemistry method for determining the specific activity in the waste (if not specified elsewhere in this document) should be standardized. At least the laboratories completing the analyses should be subject to and pass performance evaluations for QA/QC, accuracy, precision, etc. Also, this definition only covers the rad, and not what makes it mixed. Should the regulations describing concentrations of the hazardous constituents be referenced here? *and specified or referenced*

I.D. DUTIES AND REQUIREMENTS

I.D.1. Duty to Comply

The Permittees shall comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized in an emergency permit specified in 20 NMAC 4.1.900 (incorporating 40 CFR §270.61). Any Permit noncompliance, except under the terms of an emergency permit, constitutes a violation of RCRA and/or HWA and is grounds for enforcement action; for Permit modification, suspension, or revocation; or for denial of a Permit modification or

The Permittees shall allow the Secretary, or authorized representatives, upon the presentation of credentials and other documents as may be required by law, the following inspection and entry privileges specified in 20 NMAC 4.1.900 (incorporating 40 CFR §270.30(i)):

I.D.9.a. Entrance to premises - to enter at reasonable times upon the Permittees' premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;

I.D.9.b. Access to records - to have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

I.D.9.c. Inspection - to inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

I.D.9.d. Sampling - to sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by RCRA and/or HWA, any substances or parameters at any location. If the Secretary obtains any sample, prior to leaving the premises the Secretary shall give the Permittees a receipt describing the sample obtained and, if requested, a portion of each sample of equal weight or volume to the portion retained. If any analysis is made of the sample, the Secretary shall promptly furnish a copy of the results of the analysis to the Permittees. The Permittees shall ensure that all personell collecting and/or handling samples or wastes have proof of appropriate training. The Secretary shall comply with EPA guidance to ensure a representative sample is collected and shall ensure that QA/QC are adequate to ensure data is of known and acceptable quality for the intended use. The Secretary shall follow chain-of-custody requirements for all samples and each sample shall be tracked from "cradle to grave." The Secretary shall ensure proper disposal of all samples and shall document to Permittees how, where, and when unaltered and altered samples and residues have been disposed.

Suggested

Permit Condition I.D.9 shall not be construed to limit, in any manner, the Secretary's authority under Section 74-4-4.3 of the HWA.

I.D. 10. Monitoring and Records

I.D. 10.a. Representative sampling - for the purposes of monitoring, the Permittees shall take samples and measurements representative of the monitored activity. [20 NMAC 4.1.900 (incorporating 40 CFR §270.30(j)(1))]

I.D. 10.b. Record retention - the Permittees shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this Permit, the waste minimization certification required by 20 NMAC 4.1.500 (incorporating 40 CFR §264.73(b)(9)), and records of all data used to complete the application for this Permit for a period of at least 3 years from the date of the sample, measurement, report, record, certification, or application. The Secretary may extend these periods at any time, and shall be automatically extended during the course of any unresolved enforcement action regarding this facility. The Permittees shall maintain records from all ground-water monitoring wells and associated ground-water surface elevations, during the active life of the facility and the post-closure period. [20 NMAC 4.1.500 and .900 (incorporating 40 CFR §§264.74(b) and 270.30(j)(2))]

I.D. 10.c. Monitoring records contents - as specified by 20 NMAC 4.1.900 (incorporating 40 CFR §270.30(j)(3)), records of monitoring information shall include:

- i. The dates, exact place, and times of sampling or measurements;
- ii. The individuals who performed the sampling or measurements;

- iv. The individuals who performed the analyses;
- v. The analytical techniques or methods used; and
- vi. The results of such analyses.

Are the analyses being completed onsite? The documentation should also include dates, exact place, and times of disposal of samples, sample residues, etc.

I.D.11. Reporting Planned Changes

The Permittees shall give notice to the Secretary, as soon as possible, of any planned physical alterations or additions to the permitted facility. [20 NMAC 4.1.900 (incorporating 40 CFR §270.30(I)(1))]

I.D.12. Reporting Anticipated Noncompliance

The Permittees shall give advance notice to the Secretary of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. [20 NMAC 4.1.900 (incorporating 40 CFR §270.30(I)(2))]

I.D.13. Certification of Construction or Modification

The Permittees shall not store or dispose TRU mixed waste in any modified portion of the facility (except as provided in 20 NMAC 4.1.900 (incorporating 40 CFR §270.42)) until the following conditions specified in 20 NMAC 4.1.900 (incorporating 40 CFR §270.30(I)(2)) are satisfied:

I.D.13.a. Submittal of statement - the Permittees shall submit to the Secretary, by certified mail or hand delivery, a letter signed by the Permittees and a New Mexico registered professional engineer stating that the facility has been constructed or modified in compliance with this Permit, and:

I.D.13.b. Inspection by the Secretary - the Secretary has:

- i. inspected the modified portion of the facility and finds it is in compliance with the conditions of this Permit; or
- ii. waived the inspection or, within fifteen (15) calendar days of the date of submission of the letter required by Permit Condition I.D.13.a, has not notified the Permittees of his intent to inspect.

I.D.14. Transfer of Permits

The Permittees shall not transfer this Permit to any person, except after notice to the Secretary. The Secretary shall require modification or revocation and reissuance of this Permit as specified by 20 NMAC 4.1.900 (incorporating 40 CFR §270.40). Before transferring ownership or operation of the facility during its active life or post-closure care period, the Permittees shall notify the new owner or operator in writing as required by 20 NMAC 4.1.500 and .900 (incorporating 40 CFR §§264.12(c) and 270.30(I)(3)).

I.D.15. Twenty-Four Hour and Subsequent Reporting

I.D.15.a. Oral report - as required by 20 NMAC 4.1.900 (incorporating 40 CFR §270.30(I)(6)(i)), within twenty four (24) hours from the time the Permittees become aware of the circumstances the Permittees shall report orally to the Secretary any noncompliance which may endanger human health or the environment orally within twenty four (24) hours from the time the Permittees become aware of

the circumstances, including: Yikes! I suggest that the preceding sentence be rewritten as shown. Placement of the word "orally" made it sound as if human health and the environment were being endangered orally, which I don't believe can happen (although I do get queasy when I hear Al Gore speak).

- i. Information concerning release of any TRU mixed or hazardous waste that may cause an endangerment to public drinking water supplies; and
- ii. Any information of a release or discharge of TRU mixed or hazardous waste, or of a fire or explosion from the facility, which could threaten the environment or human health outside the facility.

I.D.15.b. Description of occurrence - the description of the occurrence and its cause shall include:

- i. Name, address, and telephone number of the Permittees;
- ii. Name, address, and telephone number of the facility;
- iii. Date, time, and type of incident;
- iv. Name and quantity of materials involved;
- v. The extent of injuries, if any;
- vi. An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
- vii. Estimated quantity and disposition of recovered material that resulted from the incident.

I.D.15.c. Written notice - as required by 20 NMAC 4.1.900 (incorporating 40 CFR §270.30(l)(6)(iii)), the Permittees shall submit a written notice within five (5) calendar days of the time the Permittees become aware of the circumstances. The written notice shall contain the following information:

- i. a description of the noncompliance and its cause;
- ii. the period(s) of the noncompliance including exact dates and times and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- iii. steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

The Secretary may waive the five-day written notice requirement in favor of a written report within fifteen (15) calendar days.

I.D.15.d. Contingency Plan implementation - if the Contingency Plan is implemented, the Permittees shall comply with the reporting requirements specified in Permit Attachment II-16. [20 NMAC 4.1.500 (incorporating 40 CFR §264.56(j))]

I.D.16. Other Noncompliance

The Permittees shall report to the Secretary all other instances of noncompliance not otherwise required to be reported above, Permit Conditions I.D.10 through I.D.15, at the time monitoring reports are submitted. The reports shall contain the information specified in Permit Condition I.D.15. and 20 NMAC 4.1.900 (incorporating 40 CFR §270.30(l)(10)).

I.D.17. Other Information

Whenever the Permittees become aware that they failed to submit any relevant facts in the Permit

II. MODULE II - GENERAL FACILITY CONDITIONS

II.A. DESIGN AND OPERATION OF FACILITY

The Permittees shall design, construct, maintain, and operate WIPP to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of transuranic (TRU) mixed waste or mixed waste constituents to air, soil, groundwater, or surface water ~~which that~~ could threaten human health or the environment, as required by 20 NMAC 4.1.500 (incorporating 40 CFR §264.31).

II.B. WASTE SOURCES

II.B.1. Off-site Wastes

The Permittees may receive off-site TRU mixed waste in compliance with the requirements and conditions specified in this Permit. The Permittees may only receive TRU mixed waste from those sites approved by the Secretary, through a modification to this Permit, as meeting the characterization requirements of the Waste Analysis Plan (WAP) specified in Permit Condition II.C.1 and Permit Attachment B, as required by 20 NMAC 4.1.500 (incorporating 40 CFR 264.13(a)).

II.B.2. Required Notification to Off-Site Sources

When the Permittees receive TRU mixed waste from an off-site source, they shall inform the generator/storage site in writing that they have the appropriate Permits for, and will accept, the waste the generator/storage site is shipping. The Permittees shall keep a copy of this written notice as part of the operating record, as required by 20 NMAC 4.1.500 (incorporating 40 CFR §264.12(b)).

II.C. GENERAL WASTE ANALYSIS

II.C.1. Waste Analysis Plan

The Permittees shall not store, dispose, or otherwise manage TRU mixed waste at WIPP ~~which that~~ fails to meet the characterization requirements of 20 NMAC 4.1.500 (incorporating 40 CFR §264.13), as specified by this Permit. The Permittees shall submit a request to modify this Permit ~~which that~~ demonstrates a generator/storage site's compliance with, and implementation of, the WAP. The Permittees shall not accept TRU mixed waste from the generator/storage site prior to the Secretary's approval of the Permit modification.

The Permittees' WAP, as specified in Permit Attachment B, is approved subject to the following conditions:

II.C.1.a. Implementation of requirements - the Permittees shall require that generator/storage sites implement the WAP, specified in Permit Attachment B, prior to the Permittees' receipt of TRU mixed waste from a generator/storage site.

II.C.1.b. Waste characterization sampling and analytical methods - the Permittees shall require that generator/storage sites comply with the method requirements, quality control, equipment testing, inspection, maintenance, and equipment calibration and frequency standards for the procedures specified in Permit Attachment B1 (Waste Characterization Sampling Methods). For all analytical methods for waste analysis not otherwise specified in Permit Attachment B1, the Permittees shall require the generator/storage sites to use "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846. (How can I get a copy or where can I see Permit Attachment B1, B2, B3, B4, B5?)

II.C.1.c. Statistical methods used in sampling and analysis - the Permittees shall require that generator/storage sites use the methods for statistically selecting retrievably stored and newly-generated TRU mixed waste containers for visual examination and volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), and total metals analysis, establishing upper confidence limits, and control charting for newly-generated waste stream sampling specified in Permit Attachment B2 (Statistical Methods Used in Sampling and Analysis).

II.C.1.d. Quality assurance objectives - the Permittees shall require that all waste characterization activities used by generator/storage sites comply with the appropriate quality assurance objectives (QAOs) specified in Permit

Attachment B3 (Quality Assurance Objectives and Data Validation Techniques for Waste Characterization Sampling and Analytical Methods). The Permittees shall require generator/storage sites to review, validate, and verify all analytical data; reconcile analytical results with data quality objectives (DQOs); satisfy data reporting requirements; and identify, document, and report all nonconformances and operational variances in compliance with Permit Attachment B3.

II.C.1.e. Acceptable knowledge - the Permittees shall require generator/storage sites to assemble acceptable knowledge documentation, confirm acceptable knowledge determinations, and audit (as specified in Permit Condition II.C.1.g) all aspects of the acceptable knowledge waste characterization process as specified in Permit Attachment B4 (TRU Waste Characterization Using Acceptable Knowledge).

II.C.1.f. Quality assurance - the Permittees shall submit, as part of the Permit modification specified in Permit Condition II.B.1, a quality assurance project plan (QAPjP) and standard operating procedures (SOPs) for generator/storage sites ~~which~~that demonstrate compliance with, and implementation of, the WAP, Permit Attachment B, as specified in Permit Attachment B5 (Quality Assurance Project Plan Requirements).

II.C.1.g. Waste screening and acceptance audit program - the Permittees shall demonstrate to the Secretary that generator/storage sites have implemented and ~~comply-complied~~ with the WAP, Permit Attachment B, by conducting initial and annual audits of the generator/storage sites as specified in Permit Attachment B6 (Waste Isolation Pilot Plant Generator/Storage Site Waste Screening and Acceptance Audit Program). The Permittees shall provide the final audit report and completed checklist specified in Permit Attachment B6 to the Secretary within thirty (30) calendar days of completion of any audit at a generator/storage site.

The Secretary shall participate in such audits as necessary to independently validate the implementation of and compliance with WAP requirements at each generator/storage site. The Permittees shall provide the Secretary with draft audit schedules and notify the Secretary in writing at least thirty (30) calendar days prior to each waste screening and acceptance audit.

The Permittees shall immediately suspend waste acceptance from a generator/storage site and notify the Secretary in writing if either of the following actions result from an audit of a site:

- i. ~~if~~The generator/storage site fails to complete required corrective action resulting from failure to comply with the WAP within thirty calendar (30) days after issuance of the final audit report by the Permittees, or
- ii. ~~if~~The audit findings at a generator/storage site indicate any failure to comply with the approved acceptable knowledge procedures in Permit Attachment B4.

The Permittees (~~do the Permittees actually ship or should this be reworded?~~) shall not resume shipments following suspension of waste acceptance from a generator/storage site by the Permittees until the Secretary has determined that all corrective actions for the generator/storage site have been completed and comply with the WAP; and the Permittees have re-audited the generator/storage site's program and found it complies with the WAP. The Permittees shall describe by letter the Permittees' actions, findings, and all documentation between the Permittees and the generator/storage site relating to resolution of the corrective actions.

II.C.1.h. WIPP Waste Information System (WWIS) database - the Permittees shall certify that the WWIS database is functional and meets all requirements presented in Section B-4b(1)(i) of the WAP, Permit Attachment B, prior to acceptance of TRU mixed waste from any generator/storage site. In addition, the Permittees shall provide the Secretary with direct, read-only access (via modem or Internet) to the entire WWIS database and all reporting capabilities to allow independent evaluation of all information and data related to the characterization, certification, shipment, and disposal of waste to WIPP.

II.C.2. Waste Acceptance Criteria

The Permittees shall not accept TRU mixed wastes at WIPP for storage, management, or disposal ~~which~~that fail to meet the waste acceptance criteria as presented in Permit Conditions II.C.2.a through II.C.2.l of this Permit.

II.C.2.a. Liquids - liquid waste is not acceptable at WIPP except under the following conditions. (?). Waste shall contain as little residual liquid as is reasonably achievable by pouring, pumping and/or aspirating, and internal containers shall contain less than 1 inch or 2.5 centimeters of liquid in the bottom of the container. Total residual

liquid in any container may not exceed 1 percent volume of that container. Should you require absorbent material to be placed in these containers?

II.C.2.b. Pyrophoric materials - non-radionuclide (Do you mean non-radioactive? Or possibly non-radionuclide contaminated?) pyrophoric materials are not acceptable at WIPP.

II.C.2.c. Non-mixed hazardous wastes - hazardous wastes not occurring as co-contaminants with TRU wastes (non-mixed hazardous wastes) are not acceptable at WIPP.

II.C.2.d. Chemical incompatibility - wastes incompatible with backfill, seal and panel closures materials, container and packaging materials, shipping container materials, or other wastes are not acceptable at WIPP.

II.C.2.e. Explosives and compressed gases - wastes containing explosives or compressed gases are not acceptable at WIPP.

II.C.2.f. PCB concentrations - wastes with polychlorinated biphenyl (PCB) concentrations equal to or greater than 50 parts per million are not acceptable at WIPP.

II.C.2.g. Ignitable, corrosive, and reactive wastes - wastes exhibiting the characteristic of ignitability, corrosivity, or reactivity (EPA Hazardous Waste Numbers of D001, D002, or D003) are not acceptable at WIPP.

II.C.2.h. Remote-handled transuranic waste - remote-handled (RH) TRU mixed waste (waste with a surface dose rate of 200 millirem per hour or greater) is not acceptable at WIPP. What instrument is used to determine the dose rate?

II.C.2.i. Headspace gas sampling and analysis - any waste container ~~which~~that has not undergone headspace gas sampling and analysis to determine concentration of VOCs is not acceptable at WIPP.

II.C.2.j. Radiographic / visual examination - any retrievably stored waste container ~~which~~that has not undergone either radiographic or visual examination is not acceptable at WIPP.

II.C.2.k. Waste stream profiles - any waste container from a waste stream ~~which~~that has not been preceded by an appropriate, certified Waste Stream Profile Form (Attachment B, Figure B-1) is not acceptable at WIPP.

II.C.2.l. Treatment standard - Any waste container containing mixed wastes restricted from land disposal ~~which~~that ~~have~~has not been treated to treatment standards described in 20 NMAC 4.1.800 (incorporating 40 CFR §268 Subpart D), and ~~which~~that is not accompanied by the notice of exemption required by 20 NMAC 4.1.800 (incorporating 40 CFR §268.7(a)(3)), is not acceptable at WIPP.

II.C.3. Permitted TRU Mixed Wastes

The Permittees shall accept containers ~~which~~that contain only those TRU mixed wastes listed in the Hazardous Waste Permit Application Part A, Permit Attachment O. Allowable TRU mixed wastes are specified in Table II.C.3 below:

III.G. INSPECTION SCHEDULES AND PROCEDURES

The Permittees shall inspect the WHB Unit and Parking Area Unit TRU mixed waste container storage and management areas at least weekly, in accordance with the Inspection Schedule (Permit Attachment D, Table D-1), Inspection Sheets (Permit Attachment D1), and Permit Attachment M1, Section M1-1 e, to detect leaking containers and deterioration of containers and the containment system caused by corrosion and other factors, as required by 20 NMAC 4.1.500 (incorporating 40 CFR §264.174). You should check containers for signs of pressurization and have a plan in place for handling them if found.

Section V

Table V.D - Parameter or Constituent

Thallium
Zinc
Gross alpha
Radium
Gross beta

Are the Thallium and Radium listed above the radioactive daughters in the Thorium and Uranium series? If so, shouldn't you list the isotopes? If you are looking for these isotopes why not the TRUs?

V.E. SAMPLING AND ANALYSIS PROCEDURES

Except as provided in Permit Condition V.F.1, the Permittees shall use the following techniques and procedures to obtain and analyze DMP samples, including background ground-water quality samples, from the DMWs specified in Table V.C.1, as required by 20 NMAC 4.1.500 (incorporating 40 CFR §264.97(d) and (e)):

V.E.1. Sample Collection Procedures

The Permittees shall collect one (1) DMP sample and one (1) DMP sample duplicate semiannually from each DMW using the procedures specified in Permit Attachment L, Section L-4c, as required by 20 NMAC 4.1.500 (incorporating 40 CFR §§264.97(g)(2), 264.98(d), and 264.601(a)).

V.E.2. Sample Preservation and Shipment Procedures

The Permittees shall preserve and ship DMP samples using the procedures specified in Permit Attachment L, Section L-4c(2)(iv).

V.E.3. Analytical Procedures

The Permittees shall analyze DMP samples using the procedures specified in Permit Attachment L, Section L-4c(3).

Where can I get a copy of Permit Attachment L, Section L-4c(3)?

V.E.4. Chain of Custody Procedures

The Permittees shall track and control DMP samples using the chain of custody procedures specified in Permit Attachment L, Section L-4c(2)(v).

I might suggest a section

V.E.5

Sampling Derived Waste Disposal

The Permittees shall ensure proper disposal of samples and sampling derived solid waste per criteria in 40 CFR XXX

VII. MODULE VII - CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

VII.A. DEFINITIONS

For purposes of this Module, the following definitions shall apply:

"Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any hazardous waste into or on any land or water so that such hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground water.

I guess this doesn't include radioactive waste?

"Release" means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous wastes (including hazardous constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous constituents).

I guess this also doesn't include radioactive waste?

VII.B. STANDARD MODULE CONDITIONS

1. Waste Minimization

Annually, by December 1, for the previous year ending September 30, the Permittees shall enter into the operating record as required by 20 NMAC 4.1.500 (incorporating 40 CFR §264.73(b)(9)), a statement certified according to 20 NMAC 4.1.900 (incorporating 40 CFR §270.11(d)) specifying that the Permittees have a program in place to reduce the volume and toxicity of hazardous wastes (Again, what about radioactive waste?) generated by the facility's operation to the degree determined by the Permittees to be economically practicable; and the proposed method of treatment, storage, or disposal is that practicable method currently available to the Permittees which minimizes the present and future threat to human health and the environment. A current description of the program shall be maintained in the operating record and a copy of the annual certified statement shall be submitted to the Secretary. The following are suggested criteria for the program: