



ENTRANCE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733



January 11, 1999

Ms. Idalee Sisneros  
Hearing Clerk - WIPP Draft Permit  
New Mexico Environment Department  
2044A Galisteo Street  
Santa Fe, NM 87505

Re: Comments on the draft RCRA Part B permit for the Waste  
Isolation Pilot Plant (WIPP) EPA No. NM4890139088

Dear Ms. Sisneros:

The Environmental Protection Agency (EPA) has reviewed the draft permit submitted on November 13, 1998. We appreciate the opportunity to review the permit and encourage the New Mexico Environment Department to make a final determination as soon as possible. Listed below are the comments Region 6 has regarding this draft permit.

- 1) **General Comment:** Region 6 appreciates the changes made by the State to approve waste streams for disposal using the DOE audit procedures. The Region encourages the New Mexico Environment Department and DOE to expedite approval of DOE final audit reports to facilitate opening of WIPP to mixed waste as soon as possible after issuance of the permit.
- ✓ 2) **Module I:** The boilerplate condition pertaining to severability of the permit, 40 CFR 124.16(a)(1) and (2), was not found. NMED should add this requirement to the permit boilerplate language. This comment was made on the first draft permit issued May 15, 1998.
- ✓ 3) **Page II-2, Section II.C.1.b:** The State should consider altering the language to require WIPP to use the most current update of SW-846 or specify a time frame (e.g. six months) to incorporate revisions. This language change would avoid potential issues between permit requirements and revisions to the specified methods.
- 4) **Module VII, General Comment:** Section VII.0.1 provides for implementation of the RFI Work Plan in stages. In sections VII.M.3, O.2, Q.3, and S.2; language has been added that allows time period extensions with the approval of the Secretary. Section VII.B.3.c and VII.B.6 require a permit modification, including public notice through newspapers and




mailing lists, every time there is a schedule change. Consider clarifying language to specify enforceable milestones (e.g. RFI completion) while maintaining permittee flexibility (e.g. schedule changes by Secretary approval).

- 5) **Page VII-12, Section VII.H.2:** This section should incorporate the "EPA Region 6 Human Health Media-Specific Screening Levels" and "RAGS Part D, EPA 540-R-97-033, OSWER Directive 9285.7-O/D, January 1998" documents.
- 6) **Page I-25, Table I-1, Attachment I:** The table indicates that operations begin in July, 1998. Before the permit is issued, the dates in the table should be updated.

Should you have any questions regarding these comments, please contact Nick Stone at (214) 665-7226 for further information.

Sincerely,

  
David W. Neleigh, Chief  
New Mexico and Federal  
Facilities Section

cc: Benito Garcia NMED