



Department of Energy
Carlsbad Field Office
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JUL 11 2011

Mr. John Kieling, Acting Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

**Subject: Notification of a Class 1 Permit Modification to the Hazardous Waste Facility
Permit, Permit Number: NM4890139088-TSDF**

Dear Mr. Kieling:

Enclosed is a Class 1 Permit Modification Notification:

- Editorial Corrections

We certify under penalty of law that this document and the enclosure were prepared under our direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on our inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of our knowledge and belief, true, accurate, and complete. We are aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If you have any questions, please contact George T. Basabilvazo at (575) 234-7488.

Sincerely,

Original signatures on file

Edward Ziemianski, Acting Manager
Carlsbad Field Office

M. F. Sharif, General Manager
Washington TRU Solutions LLC

Enclosure

cc: w/enclosure
J. Davis, NMED * ED
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*ED denotes electronic distribution

Class 1 Permit Modification Notifications

Editorial Corrections to the Permit Issued April 15, 2011

**Waste Isolation Pilot Plant
Carlsbad, New Mexico**

WIPP Permit Number NM4890139088-TSDF

July 2011

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Overview of the Permit Modification Notifications

This document contains Class 1 Permit Modification Notifications (**PMNs**) to modify the Hazardous Waste Facility Permit (**Permit**) at the Waste Isolation Pilot Plant (**WIPP**), Permit Number NM4890139088-TSDF hereinafter referred to as the Permit.

These PMNs are being submitted by the U.S. Department of Energy (**DOE**) and Washington TRU Solutions LLC (**WTS**), collectively referred to as the Permittees, in accordance with Permit Part 1.3.1. (20.4.1.900 New Mexico Administrative Code (**NMAC**) incorporating Title 40 of the Code of Federal Regulations (40 **CFR**) §270.42(a)). The PMNs in this document are necessary to notify the New Mexico Environment Department (**NMED**) of a change which impacts the WIPP facility. These changes do not reduce the ability of the Permittees to provide continued protection to human health and the environment.

The notifications to the Permit and any related supporting documents are provided in these PMNs. The proposed modification to the text of the Permit has been identified using **red** text and double underline and a ~~strikeout~~ font for deleted information. All direct quotations are indicated by italicized text.

Attachment A

Description of the Class 1 Permit Modification Notifications

Table 1. Class 1 Hazardous Waste Facility Permit Modification Notifications

| Affected Permit Section | Change Description | Category | Attachment C Page # |
|------------------------------------|---|-----------------|----------------------------|
| 1. Attachment C, Section C-0c | Delete the word “by” after “WSPF” to read as: “Upon notification of DOE’s approval of the WSPF, the generator/storage...” | A.1 | A-3 |
| 2. Attachment C, Section C-9 | Update Attachment C, Section C-9 to reflect current references. | A.1 | A-4 |
| 3. Attachment C4, Section C4-3e | Delete the word “underlying” to read as: “If a toxicity characteristic hazardous constituent...” | A.1 | A-5 |
| 4. Attachment C, Section C3-10b(1) | Correct Attachment C, Section C3-10b(1), 2 nd bullet, reference B1-3 to Attachment C1, Section C1-3 of the Permit. | A.1 | A-6 |
| 5. Attachment C1, Table C1-9 | Correct Attachment C1, Table C1-9, Footnote b reference from (Section C1-1a[64][ii]) to (Section C1-1a[4][ii]). | A.1 | A-7 |

Item 1

Description:

Change language in Attachment C, Section C-0c, from “Upon notification of DOE’s approval of the WSPF by, the generator/storage site...” to “Upon notification of DOE’s approval of the WSPF, the generator/storage site...”

Basis:

The change is classified as “administrative and informational change” and is therefore a Class 1 notification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I, A.1).

Discussion:

This change is required because “the generator/storage sites” do not approve Waste Stream Profile Forms (WSPFs). WSPFs are approved by the DOE.

Revised Permit Text:

C-0c Waste Stream Profile Form Completion

Upon notification of DOE’s approval of the WSPF by, the generator/storage site may be authorized to ship waste to WIPP.

Item 2

Description:

Update Attachment C, Section C-9, references 3 and 4 to reflect current references.

Basis:

The change is classified as “administrative and informational change” and is therefore a Class 1 notification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I, A.1).

Discussion:

This change is required to update the Permit with current references provided in the WIPP Ten Year Renewal Application.

Revised Permit Text:C-9 List of References

U.S. Department of Energy (DOE) [Carlsbad Field Office, Office of the National TRU Program](#), 2003 [2010](#), “Performance Demonstration Program Plan for the Analysis of Simulated Headspace Gases for the TRU Waste Characterization Program,” [DOE/CBFAO-95-1076](#), Current Revision, Carlsbad, New Mexico, Carlsbad Field Office, U.S. Department of Energy.

U.S. Department of Energy (DOE) [Carlsbad Field Office, Office of the National TRU Program](#), 2005 [2010](#), “Performance Demonstration Program Plans for [RCRA Constituent](#) Analysis of [Solidified Wastes](#) Waste Forms,” [DOE/CBFAO-95-1077](#), Current Revision, Carlsbad, New Mexico, Carlsbad Field Office, U.S. Department of Energy.

Item 3

Description:

Change language in Attachment C4, Section C4-3e, from “If a toxicity characteristic underlying hazardous constituent...” to “If a toxicity characteristic hazardous constituent...”

Basis:

The change is classified as “administrative and informational change” and is therefore a Class 1 notification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I, A.1).

Discussion:

This change is required to correct the Permit. The term “underlying” is incorrect in this context because the sentence pertains only to assignment of toxicity characteristic hazardous waste numbers listed in Permit Table 2.3.4. Per Table 2.3.4 toxicity characteristic waste has only one constituent and there is no reference to the underlying hazardous constituents listed in 40 CFR 268, Subpart D.

Revised Permit Text:

C4-3e Requirements for Re-evaluating Acceptable Knowledge Information

Potential toxicity characteristics for base materials that compose TRU mixed heterogeneous debris (S5000) waste may be determined without destructive sampling and analysis via acceptable knowledge. Sites will assign a Waste Matrix Code and waste stream to each container of waste using acceptable knowledge. Sites shall assign the toxicity characteristic hazardous waste numbers consistent with RCRA requirements. If a toxicity characteristic ~~underlying~~ hazardous constituent is identified during AK, the potential assignment of a hazardous waste number must be evaluated and the results placed in the AK record. Procedures shall describe how additions to hazardous waste numbers based on material composition are documented, as necessary (Section C4-3b).

Item 4

Description:

Correct Attachment C, Section C3-10b(1), 2nd bullet, reference B1-3 to Attachment C1, Section C1-3 of the new Permit.

Basis:

The change is classified as “administrative and informational change” and is therefore a Class 1 notification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I, A.1).

Discussion:

This change is required to correct a typographical error.

Revised Permit Text:

C3-10b(1) Site Project Manager Review

- Testing batch QC checks (e.g., replicate scans, measurement system checks) were properly performed. Radiography data are complete and acceptable based on evidence of videotape review of one waste container per day or once per testing batch, whichever is less frequent, as specified in B1-3 [Attachment C1, Section C1-3](#).

Item 5

Description:

Correct Attachment C1, Table C1-9, Footnote b reference from (Section C1-1a[64][ii]) to (Section C1-1a[4][ii]).

Basis:

The change is classified as “administrative and informational change” and is therefore a Class 1 notification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I, A.1).

Discussion:

This change is required to correct a typographical error.

Revised Permit Text:

^b The documented rigid liner vent hole diameter must be greater than or equal to the listed value to use the DAC for the listed rigid liner vent hole diameter (e.g., a container with a rigid liner vent hole of 0.5 in. must use a DAC for a rigid liner vent hole of 0.375 in.). If the rigid liner vent hole diameter for a container is undocumented during packaging, repackaging, and/or venting (Section C1-1a[64][ii]), that container must use a DAC for a rigid liner vent hole diameter of 0.30 in.