

Class 1 Permit Modification Notification

Revise Language for Compacted 55-Gallon Drums With Rigid Liners

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

WIPP HWFP #NM4890139088-TSDF

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Acronyms and Abbreviations

CBFO	Carlsbad Field Office
CFR	Code of Federal Regulations
DAC	Drum Age Criteria
DOE	Department of Energy
HWFP	Hazardous Waste Facility Permit
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
PMN	Permit Modification Notification
RCRA	Resource Conservation and Recovery Act
TSDf	Treatment, Storage and Disposal Facility
WIPP	Waste Isolation Pilot Plant
WTS	Washington TRU Solutions LLC

Overview of the Permit Modification Notification

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

This PMN is being submitted by the U.S. Department of Energy (**DOE**), Carlsbad Field Office (**CBFO**) and Washington TRU Solutions LLC (**WTS**), collectively referred to as the Permittees, in accordance with the WIPP HWFP, Condition I.B.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 PMN in this document is necessary for the following reason:

- to revise the language in the HWFP to allow the receipt of compacted 55-gallon drums with rigid liners at WIPP that have headspace gas samples taken in accordance with the HWFP prior to compaction.

This change does not reduce the ability of the Permittees to provide continued protection to human health and the environment.

The requested modification to the WIPP HWFP and related supporting documents are provided in this PMN. The proposed modification to the text of the WIPP HWFP has been identified using a double underline and revision bar in the right hand margin for added information, and a ~~strikeout~~ font for deleted information. All direct quotations are indicated by italicized text.

Attachment A

Description of the Class 1 Permit Modification Notification

Table 1. Class 1 Hazardous Waste Facility Permit Modification Notification

No.	Affected Permit Section	Item	Category	Attachment A Page #
1	a. Attachment B1	Revise language to allow receipt of compacted 55-gallon drums with rigid liners so long as headspace gas samples have been taken prior to compaction.	A.1	A-4

Item 1

Description:

The WIPP facility is preparing to begin accepting supercompacted waste from the Advanced Mixed Waste Treatment Facility. A large portion of this waste is in 55-gallon drums which have rigid liners.

The Permittees believe that the language now in the HWFP is not intended to preclude the receipt of these drums so long as headspace gas sampling has occurred as required in the HWFP, on these drums, prior to compaction. This modification is intended to clarify that language.

Basis:

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

Discussion:

The purpose of this modification is to notify NMED of the following change:

Revise language to allow receipt of compacted 55-gallon drums with rigid liners so long as the appropriate Drum Age Criteria (DAC) has been met and headspace gas samples have been taken prior to compaction

The Permittees submitted a Class 2 modification on January 8, 2004 entitled "Packaging-Specific Drum Age Criteria for New Approved Containers", which was approved by the New Mexico Environment Department (NMED) on May 7, 2004, with changes.

As now written, the revised language incorporated by NMED in Sections B1-1a(1), B1-1a(2) and B1-1a(3) implies that any compacted 55-gallon drum with a rigid liner is not acceptable for disposal at WIPP regardless of when headspace gas sampling is performed. The Permittees do not believe that this was the intent of the NMED since DAC values already exist for 55-gallon drums with rigid liners.

The Permittees are proposing this Class 1 PMN to clarify the language in the previously referenced sections to allow compacted 55-gallon drums to be shipped to WIPP so long as they have been headspace gas sampled in accordance with the HWFP prior to compaction.

The proposed language for Sections B1-1a(1) and B1-1a(2) would be as follows:
"Drums, TDOPs, or SWBs that contain compacted 55-gallon drums containing a rigid liner may not be disposed of under any packaging configuration unless headspace gas sampling was performed before compaction in accordance with this WAP."

The proposed language in Section B1-1a(3) would be as follows:

1. for supercompacted waste, both the absence of rigid liners in the compacted 55-gallon drums which have not been headspace gas sampled in accordance with this permit prior to compaction, and
2. the absence of layers of confinement must be documented in the WWIS if Packaging Configuration Group 7 is used.

Revised Permit Text:

1.a Section B1-1a(1)

Drums, TDOPs, or SWBs that contain compacted 55-gallon drums containing a rigid liner may not be disposed of under any packaging configuration unless headspace gas sampling was performed before compaction in accordance with this WAP.

Section B1-1a(2)

Drums, TDOPs, or SWBs that contain compacted 55-gallon drums containing a rigid liner may not be disposed of under any packaging configuration unless headspace gas sampling was performed before compaction in accordance with this WAP.

Section B1-1a(3)

- 1) for supercompacted waste, both the absence of rigid liners in the compacted 55-gallon drums which have not been headspace gas sampled in accordance with this permit prior to compaction, and
- 2) the absence of layers of confinement must be documented in the WWIS if Packaging Configuration Group 7 is used.