



Department of Energy
Carlsbad Field Office
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FEB 07 2020

Mr. Kevin Pierard, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505

Subject: Notification of a Class 1 Permit Modification to the Waste Isolation Pilot Plant
Hazardous Waste Facility Permit Number: NM4890139088-TSDF

Dear Mr. Pierard:

Enclosed is a Notification of Class 1 Permit Modification for the following items:

- Revise Attachment D to Provide Updated Information and Reflect the Generator Improvements Rule
- Update Citations in Attachments A and E to Reflect the Generator Improvements Rule

We certify under penalty of law that this document and all attachments were prepared under our direction or supervision according to 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 Mr. Michael R. Brown at (575) 234-7476.

Sincerely,

Signatures on file

Gregory Sosson
Acting Manager
Carlsbad Field Office

Sean Dunagan
President and Project Manager
Nuclear Waste Partnership LLC

Enclosure

cc: w/enclosure

| | |
|------------------|-----|
| R. Maestas, NMED | *ED |
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CBFO M&RC

*ED denotes electronic distribution

Class 1 Permit Modification Notification

**Revise Attachment D to Provide Updated Information and Reflect the Generator
Improvements Rule
Update Citations in Attachments A and E to Reflect the Generator Improvements Rule**

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

WIPP Permit Number - NM4890139088-TSDF

February 2020

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Transmittal Letter

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Acronyms, Abbreviations, and Units

| | |
|------------|---|
| CAAs | central accumulation areas |
| CFR | Code of Federal Regulations |
| DOE | U.S. Department of Energy |
| EPA | U.S. Environmental Protection Agency |
| GIR | Generator Improvements Rule |
| MRT | Mine Rescue Team |
| MSHA | Mine Safety and Health Administration |
| NMAC | New Mexico Administrative Code |
| NMED | New Mexico Environment Department |
| Permit | Waste Isolation Pilot Plant Hazardous Waste Facility Permit |
| Permittees | U.S. Department of Energy and Nuclear Waste Partnership LLC |
| PMNs | Permit Modification Notifications |
| SAAs | satellite accumulation areas |
| WIPP | Waste Isolation Pilot Plant |

Overview of the Permit Modification Notifications

This document contains two Class 1 Permit Modification Notifications (**PMNs**) for the Waste Isolation Pilot Plant (**WIPP**) Hazardous Waste Facility Permit (**Permit**) Number NM4890139088-TSDF.

These PMNs are being submitted by the U.S. Department of Energy (**DOE**) and Nuclear Waste Partnership LLC, collectively referred to as the Permittees, in accordance with Permit Part 1, Section 1.3.1. (20.4.1.900 New Mexico Administrative Code (**NMAC**) incorporating Title 40 of the Code of Federal Regulations (**CFR**) §270.42(a)). The PMNs in this document are necessary to notify the New Mexico Environment Department (**NMED**) of changes which impact the Permit. These changes do not reduce the ability of the Permittees to provide continued protection to human health and the environment.

The requested modifications to the Permit and any related supporting documents are provided in this PMN. The proposed modifications to the text of the Permit have 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

| Item No. | Affected Permit Section | Change Description | Category |
|----------|---|--|----------|
| 1 | <p>Attachment D, <i>RCRA Contingency Plan</i></p> <ul style="list-style-type: none"> List of Figures Introduction Section D-1, <i>Scope and Applicability</i> Section D-2a, <i>Emergency Response Personnel</i> Section D-3, <i>Criteria for Implementation of the RCRA Contingency Plan</i> Section D-4a, <i>Immediate Notifications</i> Section D-4a(1), <i>Initial Emergency Response and Alerting the RCRA Emergency Coordinator</i> Section D-4a(2), <i>Communication of Emergency Conditions to Facility Employees</i> Section D-4b, <i>Identification of Released Materials and Assessment of the Extent of the Emergency</i> Section D-4c, <i>Assessment of the Potential Hazards</i> Section D-4d, <i>Post-Assessment Notifications</i> Section D-4e, <i>Control and Containment of the Emergency</i> Section D-4e(1), <i>Fires</i> Section D-4e(4), <i>Other Occurrences</i> Section D-4f, <i>Post-Emergency Activities</i> Section D-4f(2), <i>Incompatible Waste</i> Section D-4f(3), <i>Cleaning and Restoration of Equipment</i> Section D-5, <i>Required Reporting</i> Section D-6, <i>Emergency Equipment</i> Section D-7, <i>Agreements with Local Emergency Response Agencies</i> Section D-8, <i>Evacuation Plan</i> Section D-8a, <i>Surface Evacuation On-site and Off-site Staging Areas</i> Section D-8d, <i>Plan for Underground Evacuation</i> Section D-8e, <i>Further Site Evacuation</i> Section D-9, <i>Location of the RCRA Contingency Plan and Plan Revision</i> Table D-2, <i>Emergency Equipment Maintained at the Waste Isolation Pilot Plant</i> Figure D-4, <i>Underground Escapeways/Evacuation Routes</i> | <p>This modification revises Permit Attachment D, <i>RCRA Contingency Plan</i>, to provide updated information and reflect changes and clarifications needed to incorporate the Hazardous Waste Generator Improvements Rule (GIR) adopted into the New Mexico Administrative Code (NMAC) on December 1, 2018.</p> <p>Attachment D is being modified as specified below:</p> <ul style="list-style-type: none"> Table of Contents <ul style="list-style-type: none"> Changed title for Section D-7 to "<i>Emergency Response Agreements.</i>" List of Figures <ul style="list-style-type: none"> Changed title of Figure D-4 to "Underground Escape and Evacuation Map." Introduction <ul style="list-style-type: none"> Added "20.4.1.300 New Mexico Administrative Code (NMAC) (incorporating Title 40 of the Code of Federal Regulations (CFR) Part 262, Subpart M) and." Changed "New Mexico Administrative Code (NMAC)" to "NMAC." Added "in accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.260(a)) and." Removed/modified parentheticals. Added a new paragraph describing requirements for the development and distribution of the <i>Quick Reference Guide to the WIPP Facility RCRA Contingency Plan</i>. Section D-1, <i>Scope and Applicability</i> <ul style="list-style-type: none"> Changed "40 CFR §264.51(b)" to "40 CFR §264.51(a)." Changed the title of 40 CFR Part 262 from "Standards for Generators of Hazardous Waste" to "Standards Applicable to Generators of Hazardous Waste." Changed "40 CFR §262.34(a)(4), which references 40 CFR Part 265, Subpart D" to "40 CFR §262.261(a)." Changed "Hazardous Waste Staging Areas for site-generated hazardous waste, which are | A.1 |

| Item No. | Affected Permit Section | Change Description | Category |
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| | | <p>located in Buildings 474A and 474B on the surface, as shown in Figure D-1, and in the underground at S550/E140" to "site-generated hazardous waste accumulation areas (both central accumulation areas (CAAs), also referred to as the less-than-90-day areas, and satellite accumulation areas (SAAs)), the locations of which are specified in the <i>Quick Reference Guide to the WIPP Facility RCRA Contingency Plan</i>."</p> <ul style="list-style-type: none"> ○ Added "For the remainder of this document, the term "site-generated hazardous waste" will mean waste accumulated in both the CAAs and SAs." ○ Changed "40 CFR §262.34" to "40 CFR §262.17." • Section D-2a, <i>Emergency Response Personnel</i> <ul style="list-style-type: none"> ○ Added "20.4.1.300 NMAC (incorporating 40 CFR §262.261(d)) and." ○ Revised Mine Rescue Team description to read, "The MRT emergency response capabilities include search, rescue, reentry, and recovery operations. The MRT responds in accordance with the requirements of 30 CFR Part 49. The MRT emergency response actions include extinguishing incipient stage fires, if encountered, and immediately reporting uncontrolled fires." • Section D-3, <i>Criteria for Implementation of the RCRA Contingency Plan</i> <ul style="list-style-type: none"> ○ Added "20.4.1.300 NMAC (incorporating 40 CFR §262.260(b)) and." ○ Added "20.4.1.300 NMAC (incorporating 40 CFR §262.265(i)) and." ○ Changed "the Hazardous Waste Staging Areas" to "a CAA or SAA" in two places. ○ Changed "Hazardous Waste Staging Area" to "CAA or SAA" in three places. ○ Added "or site generated hazardous waste" after "TRU mixed waste" in two places. | |

| Item No. | Affected Permit Section | Change Description | Category |
|----------|-------------------------|--|----------|
| | | <ul style="list-style-type: none"> ○ Added comma after “threatens to involve TRU mixed waste or site-generated hazardous waste.” • Section D-4a, <i>Immediate Notifications</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(a)) and.” • Section D-4a(1), <i>Initial Emergency Response and Alerting the RCRA Emergency Coordinator</i> <ul style="list-style-type: none"> ○ Changed “State and local agencies” to “federal, state, and local agencies and mining companies in the vicinity of the WIPP facility.” • Section D-4a(2), <i>Communication of Emergency Conditions to Facility Employees</i> <ul style="list-style-type: none"> ○ Deleted “electric.” • Section D-4b, <i>Identification of Released Materials and Assessment of the Extent of the Emergency</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(b)) and.” ○ Changed “Hazardous Waste Staging Areas” to “site-generated hazardous waste accumulation areas.” ○ Deleted “satellite staging areas,” ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.261(a)) and.” • Section D-4c, <i>Assessment of the Potential Hazards</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(c)) and.” • Section D-4d, <i>Post-Assessment Notifications</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(d)) and.” ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(d)(1)) and.” ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(d)(2)) and.” • Section D-4e, <i>Control and Containment of the Emergency</i> | |

| Item No. | Affected Permit Section | Change Description | Category |
|----------|-------------------------|--|----------|
| | | <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(e) and (f)) and.” • Section D-4e(1), <i>Fires</i> <ul style="list-style-type: none"> ○ Added “and site-generated hazardous waste” and “or site-generated hazardous waste” after “TRU mixed waste” in items 3 and 7, respectively. • Section D-4e(4), <i>Other Occurrences</i> <ul style="list-style-type: none"> ○ Added “or site-generated hazardous waste” after “TRU mixed waste (i.e., occurs in an active disposal room).” • Section D-4f, <i>Post-Emergency Activities</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(g)) and.” ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(h)) and.” • Section D-4f(2), <i>Incompatible Waste</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.262(h)(1)) and.” • Section D-4f(3), <i>Cleaning and Restoration of Equipment</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.262(h)(2)) and.” • Section D-5, <i>Required Reporting</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(i)) and.” ○ Deleted “and EPA Region VI Administrator.” • Section D-6, <i>Emergency Equipment</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.261(e)) and.” ○ Changed “40 CFR §264.52(e)” to “40 CFR 264.15(b).” • Section D-7, <i>Agreements with Local Emergency Response Agencies</i> <ul style="list-style-type: none"> ○ Changed section title to “Emergency Response Agreements.” ○ Added “federal, state, and” before and “and mining companies in the vicinity of the WIPP facility” after “local emergency response agencies” in two places. | |

| Item No. | Affected Permit Section | Change Description | Category |
|----------|-------------------------|--|----------|
| | | <ul style="list-style-type: none"> ○ Changed “State and local” to “federal, state, and local.” ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §§262.256 and 262.261(c)) and.” ○ Added “, White Marble Mine,” after “Intrepid Potash NM LLC.” • Section D-8, <i>Evacuation Plan</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.261(f)) and.” • Section D-8d, <i>Plan for Underground Evacuation</i> <ul style="list-style-type: none"> ○ Changed title of Figure D-4 to “Underground Escape and Evacuation Map.” ○ Deleted the word “two” from the sentence discussing MRTs. • Section D-9, <i>Location of the RCRA Contingency Plan and Plan Revisions</i> <ul style="list-style-type: none"> ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §§262 and 262.262(a)) and.” ○ Changed “State and local agencies” to “federal, state, and local agencies and mining companies in the vicinity of the WIPP facility.” ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.262(a)) and.” ○ Added “White Marble Mine” to the listing of state and local agencies. ○ Added “20.4.1.300 NMAC (incorporating 40 CFR §262.263) and.” • Table D-2, <i>Emergency Equipment Maintained at the Waste Isolation Pilot Plant</i> <ul style="list-style-type: none"> ○ Changed “surface Hazardous Waste Staging Areas” to “CAAs” in the Building Fire Alarms, Sprinkler Systems, and Emergency Showers line items. ○ Changed “surface, Hazardous Waste Staging Areas (Building 474A, Waste Oil Retainer Area), and the underground Hazardous Waste Staging Area (S550/E140)” to “CAAs and SAs” in the Emergency Eyewash Equipment line item. • Figure D-4, <i>Underground Escapeways/Evacuation Routes</i> | |

| Item No. | Affected Permit Section | Change Description | Category |
|----------|---|---|----------|
| | | <ul style="list-style-type: none"> ○ Replaced figure with an updated figure. ○ Changed figure title to “Underground Escape and Evacuation Map.” | |
| 2 | Attachment A, Section A-5, <i>Waste Description</i> Attachment E, Section E-1b(1), <i>Container Inspection</i> | <p>This modification updates references and citations in Permit Attachment A, <i>General Facility Description and Process Information</i> and Attachment E, <i>Inspection Schedule, Process and Forms</i>, to reflect the changes implemented in the Generator Improvements Rule.</p> <p>The specific changes are as follows:</p> <ul style="list-style-type: none"> • Attachment A, Section A-5, <i>Waste Description</i> <ul style="list-style-type: none"> ○ Changed “40 CFR §262.34” to “40 CFR §264.17.” ○ Added “, with the exception of the requirements of 30.4.1.300 NMAC (incorporating 40 CFR Part 262, Subpart M), which are addressed in Permit Attachment D.” • Attachment E, Section E-1b(1), <i>Container Inspection</i> <ul style="list-style-type: none"> ○ Changed “40 CFR §262.34” to 40 CFR §262.17.” | A.1 |

Item 1

Description

This modification revises Permit Attachment D, *RCRA Contingency Plan*, to provide updated information and reflect changes and clarifications needed to incorporate the Hazardous Waste Generator Improvements Rule (**GIR**) adopted into the New Mexico Administrative Code (**NMAC**) on December 1, 2018.

Attachment D is being modified as specified below:

- Table of Contents
 - Changed title for Section D-7 to “*Emergency Response Agreements*.”
- List of Figures
 - Changed title of Figure D-4 to “Underground Escape and Evacuation Map.”
- Introduction
 - Added “20.4.1.300 New Mexico Administrative Code (**NMAC**) (incorporating Title 40 of the Code of Federal Regulations (**CFR**) Part 262, Subpart M) and.”
 - Changed “New Mexico Administrative Code (**NMAC**)” to “NMAC.”
 - Added “in accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.260(a)) and.”
 - Removed/modified parentheticals.
 - Added a new paragraph describing requirements for the development and distribution of the *Quick Reference Guide to the WIPP Facility RCRA Contingency Plan*.
- Section D-1, *Scope and Applicability*
 - Changed “40 CFR §264.51(b)” to “40 CFR §264.51(a).”
 - Changed the title of 40 CFR Part 262 from “Standards for Generators of Hazardous Waste” to “Standards Applicable to Generators of Hazardous Waste.”
 - Changed “40 CFR §262.34(a)(4), which references 40 CFR Part 265, Subpart D” to “40 CFR §262.261(a).”
 - Changed “Hazardous Waste Staging Areas for site-generated hazardous waste, which are located in Buildings 474A and 474B on the surface, as shown in Figure D-1, and in the underground at S550/E140” to “site-generated hazardous waste accumulation areas (both central accumulation areas (**CAAs**), also referred to as the less-than-90-day areas, and satellite accumulation areas (**SAAs**)), the locations of which are specified in the *Quick Reference Guide to the WIPP Facility RCRA Contingency Plan*.”

- Added “For the remainder of this document, the term “site-generated hazardous waste” will mean waste accumulated in both the CAAs and SAAs.”
- Changed “40 CFR §262.34” to “40 CFR §262.17.”
- Section D-2a, *Emergency Response Personnel*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.261(d)) and.”
 - Revised Mine Rescue Team description to read, “The MRT emergency response capabilities include search, rescue, reentry, and recovery operations. The MRT responds in accordance with the requirements of 30 CFR Part 49. The MRT emergency response actions include extinguishing incipient stage fires, if encountered, and immediately reporting uncontrolled fires.”
- Section D-3, *Criteria for Implementation of the RCRA Contingency Plan*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.260(b)) and.”
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(i)) and.”
 - Changed “the Hazardous Waste Staging Areas” to “a CAA or SAA” in two places.
 - Changed “Hazardous Waste Staging Area” to “CAA or SAA” in three places.
 - Added “or site generated hazardous waste” after “TRU mixed waste” in two places.
 - Added comma after “threatens to involve TRU mixed waste or site-generated hazardous waste.”
- Section D-4a, *Immediate Notifications*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(a)) and.”
- Section D-4a(1), *Initial Emergency Response and Alerting the RCRA Emergency Coordinator*
 - Changed “State and local agencies” to “federal, state, and local agencies and mining companies in the vicinity of the WIPP facility.”
- Section D-4a(2), *Communication of Emergency Conditions to Facility Employees*
 - Deleted “electric.”
- Section D-4b, *Identification of Released Materials and Assessment of the Extent of the Emergency*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(b)) and.”
 - Changed “Hazardous Waste Staging Areas” to “site-generated hazardous waste accumulation areas.”

- Deleted “satellite staging areas,”
- Added “20.4.1.300 NMAC (incorporating 40 CFR §262.261(a)) and.”
- Section D-4c, *Assessment of the Potential Hazards*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(c)) and.”
- Section D-4d, *Post-Assessment Notifications*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(d)) and.”
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(d)(1)) and.”
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(d)(2)) and.”
- Section D-4e, *Control and Containment of the Emergency*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(e) and (f)) and.”
- Section D-4e(1), *Fires*
 - Added “and site-generated hazardous waste” and “or site-generated hazardous waste” after “TRU mixed waste” in items 3 and 7, respectively.
- Section D-4e(4), *Other Occurrences*
 - Added “or site-generated hazardous waste” after “TRU mixed waste (i.e., occurs in an active disposal room).”
- Section D-4f, *Post-Emergency Activities*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(g)) and.”
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(h)) and.”
- Section D-4f(2), *Incompatible Waste*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.262(h)(1)) and.”
- Section D-4f(3), *Cleaning and Restoration of Equipment*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.262(h)(2)) and.”
- Section D-5, *Required Reporting*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.265(i)) and.”
 - Deleted “and EPA Region IV Administrator.”
- Section D-6, *Emergency Equipment*

- Added “20.4.1.300 NMAC (incorporating 40 CFR §262.261(e)) and.”
- Changed “40 CFR §264.52(e)” to “40 CFR 264.15(b).”
- Section D-7, *Agreements with Local Emergency Response Agencies*
 - Changed section title to “*Emergency Response Agreements*.”
 - Added “federal, state, and” before and “and mining companies in the vicinity of the WIPP facility” after “local emergency response agencies” in two places.
 - Changed “State and local” to “federal, state, and local.”
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §§262.256 and 262.261(c)) and.”
 - Added “, White Marble Mine,” after “Intrepid Potash NM LLC.”
- Section D-8, *Evacuation Plan*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.261(f)) and.”
- Section D-8d, *Plan for Underground Evacuation*
 - Changed title of Figure D-4 to “Underground Escape and Evacuation Map.”
 - Deleted the word “two” from the sentence discussing MRTs.
- Section D-9, *Location of the RCRA Contingency Plan and Plan Revision*
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §§262 and 262.262(a)) and.”
 - Changed “State and local agencies” to “federal, state, and local agencies and mining companies in the vicinity of the WIPP facility.”
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.262(a)) and.”
 - Added “White Marble Mine” to the listing of state and local agencies.
 - Added “20.4.1.300 NMAC (incorporating 40 CFR §262.263) and.”
- Table D-2, *Emergency Equipment Maintained at the Waste Isolation Pilot Plant*
 - Changed “surface Hazardous Waste Staging Areas” to “CAAs” in the Building Fire Alarms, Sprinkler Systems, and Emergency Showers line items.
 - Changed “surface, Hazardous Waste Staging Areas (Building 474A, Waste Oil Retainer Area), and the underground Hazardous Waste Staging Area (S550/E140)” to “CAAs, and SAAs” in the Emergency Eyewash Equipment line item.
- Figure D-4, *Underground Escapeways/Evacuation Routes*
 - Replaced figure with an updated figure.

- Changed figure title to “Underground Escape and Evacuation Map.”

Basis

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

Discussion

Changes to Permit Attachment D, *RCRA Contingency Plan*, are needed to update the Permit with current regulatory citations. As a result of the New Mexico Environmental Improvement Board adoption of the GIR into the NMAC on December 1, 2018, some changes to regulatory citations in the Permit are required. Although the rulemaking did not apply to the contingency plan requirements for treatment, storage, and disposal facilities such as the WIPP facility pursuant to 20.4.1.500 NMAC (incorporating 40 CFR Part 264, Subpart D), the Permittees have opted to maintain one consolidated RCRA Contingency Plan for the WIPP facility. Therefore, the Permit is being modified to ensure that the consolidated plan reflects the requirements of both 20.1.4.300 and 20.1.4.500 NMAC (incorporating 40 CFR Part 262, Subpart M, and Part 264, Subpart D, respectively). To accomplish this, regulatory citations from 20.1.4.300 NMAC (incorporating 40 CFR Part 262, Subpart M) have been added throughout Attachment D to ensure completeness.

In accordance with the requirements of NMAC 20.4.1.300 (incorporating 40 CFR §262.262(b)), a *Quick Reference Guide to the WIPP Facility RCRA Contingency Plan* was developed and distributed to the appropriate emergency response organizations. The quick reference guide is a requirement related to a large quantity generator’s contingency plan and is designed to provide easy access for emergency responders to the most critical facility information, thereby facilitating a timely response to an emergency event. A description of the quick reference guide has been added to the *Introduction* section; this change is needed to establish a link between the *RCRA Contingency Plan* and the information contained in the quick reference guide as outlined in NMAC 20.4.1.300 (incorporating 40 CFR §262.262(b)(1) through §262.262(b)(8)). Throughout Permit Attachment D, the term “Hazardous Waste Staging Areas” has been replaced with references to the site-generated hazardous waste accumulation areas, including both the central accumulation areas (**CAAs**) and satellite accumulation areas (**SAAs**), to ensure that the text is consistent with terminology found in the NMAC 20.4.1.300 (incorporating 40 CFR Part 262) regulations. A requirement of the quick reference guide is that the locations of site-generated hazardous waste accumulation areas be specified; therefore, revisions have been made throughout Permit Attachment D to remove specific detail relative to these locations and, instead, reference the quick reference guide. This change is needed to allow the locations of the CAAs (i.e., less-than-90-day) and SAAs to change as necessary without requiring a Permit modification.

The NMAC 20.4.1.300 (incorporating 40 CFR Part 262, Subpart M) requires that large quantity generator’s contingency plan apply to those areas where hazardous waste is generated or accumulated on site. Therefore, the provisions of Permit Attachment D, *RCRA Contingency Plan*, have been extended to the SAAs in addition to the CAAs. The term “site-generated hazardous waste” has been added, as appropriate, to Attachment D, Sections D-3, *Criteria for Implementation of the RCRA Contingency Plan*; D-4e (1), *Fires*; and D-4e (4), *Other Occurrences*, to clarify that the descriptions relative to implementing criteria and emergency response procedures apply to both TRU mixed waste and site-generated hazardous waste. The

list of emergency equipment in Permit Attachment D, Table D-2, *Emergency Equipment Maintained at the Waste Isolation Pilot Plant*, has been updated to replace references to Hazardous Waste Staging Areas with references to the site-generated hazardous waste accumulation areas, both the CAAs and SAAs, in the Building Fire Alarms, Sprinkler Systems, Emergency Showers, and Emergency Eyewash Equipment line items to meet the requirements of NMAC 20.4.1.300 (incorporating 40 CFR §262.252, *Required Equipment*). These changes and clarifications are needed to ensure consistency with the requirements of the GIR.

Text in Permit Attachment D, Section D-4a(2), *Communication of Emergency Conditions to Facility Employees*, has been revised to clarify that if evacuation of underground personnel is required, this will be done using the backup generators, not the backup electric generators. This revision is needed to clarify the Permit text and ensure its accuracy with the list of emergency equipment in Attachment D, Table D-2.

The regulations set forth in 40 CFR Parts 262 and 264 have been incorporated into the NMAC by the State of New Mexico who has been granted the responsibility of regulation and enforcement by the U.S. Environmental Protection Agency (**EPA**). The Secretary of the NMED, therefore, is the correct recipient for incident reports described in Attachment D, Section D-5, *Required Reporting*. There is no need to report the same incident to the EPA Region VI Administrator. This change is needed to remove duplication and provide clarification regarding required reporting upon implementation of the *RCRA Contingency Plan* and to be consistent with the current regulations.

The title of Permit Attachment D, Section D-7, has been changed from *Agreements with Local Emergency Response Agencies* to *Emergency Response Agreements*. Additionally, text has been revised to expand the list of agreements beyond local agreements to include “federal, state, and local emergency response agencies and mining companies in the vicinity of the WIPP facility.” These changes are needed to ensure completeness and accuracy of the Permit text. The regulations at 40 CFR §264.52(c) require the *RCRA Contingency Plan* to “describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to 40 CFR §264.37.” Therefore, the listing of agreements is not confined to just “local” emergency response agencies.

The WIPP facility has implemented the MSHA regulations at 30 CFR §49.2(a)(1), which require every mine operator to establish at least two mine rescue teams which are available at all times when miners are underground. On July 5, 2017, an agreement was signed with White Marble Mine in Van Horn, Texas, to provide assistance in the form of their mine rescue team in the event of a mine disaster or any circumstance that should require a mine rescue team for emergency procedures at the WIPP facility. Therefore, White Marble Mine was added to the list of emergency response agencies that may provide aid and assistance in the event of implementation of the *RCRA Contingency Plan*. This change is needed to provide the most up-to-date information regarding the emergency response agreements in place at the WIPP facility.

The description of the Mine Rescue Team (**MRT**) in Permit Attachment D, Section D-2a, *Emergency Response Personnel*, has been revised to ensure consistency with the current revision of the *WIPP Mine Rescue Program Plan* and clarifies that the MRT response capabilities are in accordance with the Mine Safety and Health Administration (**MSHA**) requirements at 30 CFR Part 49. The word “two” has been deleted from the last paragraph, last sentence, of Permit Attachment D, Section D-8d, *Plan for Underground Evacuation*, to indicate

that all MRTs are trained in compliance with 30 CFR Part 49, not just the two MRTs available at any given time. These changes ensure the accuracy of the Permit text.

Permit Attachment D, Figure D-4, *Underground Escapeways/Evacuation Routes*, has been updated with the current version of the map from the *Underground Escape and Evacuation Plan* on file at the WIPP facility, which has recently been revised to show an additional assembly area, the closures for Panels 3 through 6, the Panel 7 filled areas, and the Panel 8 mined areas. Additionally, the title of Figure D-4 has been changed to *Underground Escape and Evacuation Map* to establish consistency with the title in the *Underground Escape and Evacuation Plan*. This change is needed to update the Permit with the most current information available and enhance the readability of the Permit.

Proposed Revised Permit Text:

ATTACHMENT D

RCRA CONTINGENCY PLAN

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ATTACHMENT D

RCRA CONTINGENCY PLAN

Introduction

This attachment contains the *RCRA Contingency Plan* prepared in accordance with the Resource Conservation and Recovery Act (**RCRA**) requirements codified in 20.4.1.300 New Mexico Administrative Code (NMAC) (incorporating Title 40 of the Code of Federal Regulations (CFR) Part 262, Subpart M) and 20.4.1.500 NMAC ~~New Mexico Administrative Code (NMAC)~~ (incorporating 40 CFR Part 264, Subpart D), "Contingency Plan and Emergency Procedures." The purpose of this document is to define responsibilities and to describe the coordination of activities necessary to minimize hazards to human health and the environment from fires, explosions, or any sudden or non-sudden release of hazardous waste, or hazardous waste constituents to air, soil, or surface water in accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.260(a)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.51 (a)). This plan consists of descriptions of emergency responses specific to contact-handled (**CH**) and remote-handled (**RH**) transuranic (**TRU**) mixed waste and site-generated hazardous waste handled at the WIPP facility.

Pursuant to 20.4.1.300 NMAC (incorporating 40 CFR §262.262(b)), the Permittees ensure that a copy of the Quick Reference Guide to the WIPP Facility RCRA Contingency Plan is maintained on file at the facility and is available to the emergency response organizations listed in Section D-2a, Emergency Response Personnel, and Section D-9, Location of the RCRA Contingency Plan and Plan Revision. Whenever the RCRA Contingency Plan is revised, the Permittees will update, if necessary, the quick reference guide and redistribute it in accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.262(c)).

D-1 Scope and Applicability

Pursuant to 20.4.1.500 NMAC (incorporating 40 CFR §264.51(a)), owners/operators of treatment, storage, and disposal facilities are required to have formal contingency plans in place that describe actions that facility personnel will take in response to any fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment. The contingency plan must meet the requirements of NMAC 20.4.1.500 NMAC (incorporating 40 CFR Part 264, Subpart D). The provisions of the *RCRA Contingency Plan* apply to HWDUs in the underground waste disposal panels, HWMUs in the WHB Unit and the Parking Area Unit, the Waste Shaft, and supporting TRU mixed waste handling areas. These areas are shown in Figures D-1 through D-3.

The WIPP facility is a large quantity generator of hazardous waste pursuant to 20.4.1.300 NMAC (incorporating 40 CFR Part 262, "Standards Applicable to for Generators of Hazardous Waste"). 20.4.1.300 NMAC (incorporating 40 CFR §262.261(a) ~~§262.34(a)(4)~~, which references ~~40 CFR Part 265, Subpart D~~) requires that a contingency plan be in place that describes actions that facility personnel will take in response to any fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment. The provisions of the *RCRA Contingency Plan* also apply to the ~~Hazardous Waste Staging Areas for~~ site-generated hazardous waste, accumulation areas (both the central accumulation areas (CAAs), also referred to as the less-than-90-day areas, and satellite accumulation areas (SAAs)), the locations of which are specified in the Quick Reference Guide to the WIPP Facility RCRA Contingency Plan which are located in Buildings 474A and 474B on the surface, as

shown in Figure D-1, and in the underground at S550/E140. For the remainder of this document, the term “site-generated hazardous waste” will mean waste accumulated in both the CAAs and SAAs.

Wastes generated as a result of emergency response actions will be categorized into one of three groups and disposed of accordingly. These are: 1) nonhazardous wastes to be disposed of at an appropriate disposal facility (e.g., low-level waste facility or approved landfill), 2) hazardous nonradioactive wastes (site-generated hazardous waste) to be disposed of at an off-site RCRA permitted facility, and 3) derived waste to be disposed of in the underground HWDUs as TRU mixed waste. Hazardous liquid wastes that may be generated as a result of emergency response actions will be managed as follows:

- Non-Mixed - Accumulated liquids contaminated only with hazardous constituents will be placed into containers and managed in accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.1734) requirements. The waste will be shipped to an approved off-site treatment, storage, or disposal facility.

D-2 Emergency Response Personnel and Training

D-2a Emergency Response Personnel

A RCRA Emergency Coordinator will be on-site at the WIPP facility 24 hours a day, seven days a week, with the responsibility for coordinating emergency response measures. In accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.261(d)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.52(d)), qualified RCRA Emergency Coordinators are listed in Table D-1 and are trained to the requirements found in Permit Attachment F, under “Emergency Coordinator”.

- Mine Rescue Team (MRT)— The MRT emergency response capabilities include search, rescue, reentry, and recovery operations. The MRT responds in accordance with the requirements of 30 CFR Part 49. The MRT emergency response actions include extinguishing incipient stage fires, if encountered, and immediately reporting uncontrolled firesis responsible for emergency rescue and recovery of trapped or missing personnel in the underground, conducting mine facility assessments, and underground firefighting once the underground has been evacuated and only if needed to rescue unaccounted personnel.

D-3 Criteria for Implementation of the RCRA Contingency Plan

The provisions of the *RCRA Contingency Plan* shall be implemented immediately whenever there is a fire, an explosion, or a release of hazardous wastes or hazardous waste constituents that could threaten human health or the environment, or whenever the potential for such an event exists as determined by the RCRA Emergency Coordinator, as required under 20.4.1.300

NMAC (incorporating 40 CFR §262.260(b)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.51(b)).

In accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.265(i)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.56(i)), the RCRA Emergency Coordinator, on behalf of the Permittees, will record the time, date, and details of the incident that required implementation of the *RCRA Contingency Plan*. The Secretary of the NMED will be immediately notified by the Permittees. Additionally, the Permittees shall submit a written report to the NMED within 15 days of the incident, as specified in Section D-5. The following emergency situations, as they pertain to TRU mixed waste and generated hazardous wastes, warrant immediate implementation of the *RCRA Contingency Plan* by the RCRA Emergency Coordinator in accordance with standard operating procedures on file at the WIPP facility:

Fires

- If a fire (e.g., building, grass, nonhazardous waste fire) occurs within or near ~~the Hazardous Waste Staging Areas~~ a CAA or SAA that threatens to involve site-generated hazardous waste

• Explosions

- If an explosion occurs within or near ~~the Hazardous Waste Staging Areas~~ a CAA or SAA which threatens to involve site-generated hazardous waste

• Unplanned Sudden/Non-Sudden Releases

- If a spill of site-generated hazardous waste occurs in a ~~Hazardous Waste Staging Area~~ CAA or SAA and cannot be contained with secondary containment methods or absorbents, thereby threatening a release to air, soil, or surface water
- If a site-generated hazardous waste spill occurs in a ~~Hazardous Waste Staging Area~~ CAA or SAA and results in the release of potentially flammable material, thereby threatening to create a fire or explosion hazard
- If a site-generated hazardous waste spill occurs in a ~~Hazardous Waste Staging Area~~ CAA or SAA and results in the release of potentially toxic fumes that would threaten human health

- Other Occurrences

- If an underground structural integrity emergency (e.g., roof fall in an active room) occurs that involves TRU mixed waste or site-generated hazardous waste, threatens to involve TRU mixed waste or site-generated hazardous waste, results in immediate personnel evacuation, or prevents normal personnel access to the underground

D-4a Immediate Notifications

Notification requirements in the event of implementation of the *RCRA Contingency Plan* are defined by 20.4.1.300 NMAC (incorporating 40 CFR §262.265(a)) and 20.4.1.500 NMAC (incorporating 40 CFR §§264.56(a)). Personnel at the WIPP facility are trained to respond to emergency notifications.

D-4a(1) Initial Emergency Response and Alerting the RCRA Emergency Coordinator

If needed, the RCRA Emergency Coordinator will immediately notify the appropriate federal, ~~State~~ state, and local agencies and mining companies in the vicinity of the WIPP facility, listed in Section D-7, with designated response roles.

D-4a(2) Communication of Emergency Conditions to Facility Employees

Procedures for immediately notifying facility personnel of emergencies are as follows:

- Underground Evacuation Warning System

The underground evacuation signal is a yelp tone and flashing strobe light. In the event of an evacuation signal, underground personnel will follow escape routes to egress hoist stations. Underground personnel are trained to report to the underground assembly areas and await further instruction if all power fails or if ventilation stops. If evacuation of underground personnel is required, this will be done using the backup ~~electric~~ generators and in accordance with the applicable requirements of MSHA.

D-4b Identification of Released Materials and Assessment of the Extent of the Emergency

The identification of hazardous wastes or hazardous waste constituents involved in a fire, an explosion, or a release to the environment is a necessary part of the RCRA Emergency Coordinator's assessment of an incident, as described in 20.4.1.300 NMAC (incorporating 40

CFR §262.265(b)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.56(b)). Immediately after alarms have been activated and required notifications have been made, the RCRA Emergency Coordinator shall direct an investigation to determine pertinent information relevant to the actual or potential threat posed to human health or the environment. The information will include the character, exact source, amount, and areal extent of any released material. This may be done by observation or review of facility records or manifests and, if necessary, by chemical analysis.

Sources of information available to identify the hazardous wastes involved in a fire, an explosion, or a release at the WIPP facility include operator/supervisor knowledge of their work areas, materials used, and work activities underway; the WIPP Waste Information System (**WWIS**), which identifies the location within the facility of emplaced TRU mixed waste, including emplaced derived waste; and waste manifests and other waste characterization information in the operating record. The WWIS also includes information on wastes that are in the waste handling process. Also available are Safety Data Sheets (SDSs) for hazardous materials in the various user areas throughout the facility, waste acceptance records, and materials inventories for buildings and operating groups at the WIPP facility. Information or data from the derived waste accumulation areas, the ~~Hazardous Waste Staging Areas~~ site-generated hazardous waste accumulation areas, ~~satellite staging areas~~, and nonregulated waste accumulation areas are included. It is anticipated that this information is sufficient for identifying the nature and extent of the released materials. The RCRA Emergency Coordinator has access to this information when needed.

The waste received at the WIPP facility must meet TSDF-WAC (e.g., no more than one percent liquid), which minimizes the possibility of waste container degradation and liquid spills. Should a spill or release occur from a container of site-generated hazardous or TRU mixed waste, following an initial assessment of the event, the RCRA Emergency Coordinator will ensure that the following actions are immediately taken, consistent with radiological control procedures, in compliance with 20.4.1.300 NMAC (incorporating 40 CFR §262.261(a)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.52(a) and §264.171):

D-4c Assessment of the Potential Hazards

Concurrent with the actions described in Sections D-4a and D-4b, and in accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.265(c)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.56(c)), the RCRA Emergency Coordinator shall assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment will consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-off from water or chemical agents used to control fire and heat-induced explosions). The RCRA Emergency Coordinator will be responsible for identifying and responding to immediate and potential hazards, using the services of trained personnel.

D-4d Post-Assessment Notifications

Upon *RCRA Contingency Plan* implementation, post-assessment notifications may be necessary in order to satisfy [20.4.1.300 NMAC \(incorporating 40 CFR §262.265\(d\)\)](#) and [20.4.1.500 NMAC \(incorporating 40 CFR §264.56\(d\)\)](#). If it has been determined that the facility has had a fire, an explosion, or a release of hazardous waste or hazardous waste constituents that could threaten human health or the environment outside the facility (i.e., outside the Land Withdrawal Boundary), the RCRA Emergency Coordinator, after consultation with the DOE as the owner of the facility, will ensure that the appropriate local authorities are immediately notified by telephone and/or radio in the event that evacuation is needed. The following notifications satisfy the requirements of [20.4.1.300 NMAC \(incorporating 40 CFR §262.265\(d\)\(1\)\)](#) and [20.4.1.500 NMAC \(incorporating 40 CFR §264.56\(d\)\(1\)\)](#):

After local authorities are notified, the RCRA Emergency Coordinator must immediately notify either the government official designated as the on-scene coordinator for that geographical area, or the National Response Center. For the purposes of the *RCRA Contingency Plan*, the following notifications satisfy the requirements of [20.4.1.300 NMAC \(incorporating 40 CFR §262.265\(d\)\(2\)\)](#) and [20.4.1.500 NMAC \(incorporating 40 CFR §264.56\(d\)\(2\)\)](#):

D-4e Control and Containment of the Emergency

The RCRA Emergency Coordinator is required to ensure control of an emergency and to minimize the potential for the occurrence, recurrence, or spread of releases due to the emergency situation, as described in [20.4.1.300 NMAC \(incorporating 40 CFR §262.265\(e\) and \(f\)\)](#) and [20.4.1.500 NMAC \(incorporating 40 CFR §264.56 \(e\) and \(f\)\)](#). Standard operating procedures and guides are used to implement initial response measures with priority being control of the emergency, and those actions necessary to ensure confinement and containment in the early, critical stages of a spill or leak. The RCRA Emergency Coordinator, in conjunction with the Incident Commander, is responsible for implementing the following measures:

D-4e(1) Fires

In the event of a fire that involves or threatens TRU mixed waste or site-generated hazardous waste, emergency response actions may include, but are not limited to, the following:

3. Only fire extinguishing materials that are compatible with the materials involved in the fire will be used to extinguish fires. Water and dry chemical materials have been determined to be compatible with all components of the TRU mixed waste [and site-generated hazardous waste](#).

7. Upon underground evacuation due to a fire in the underground that involves or threatens to involve TRU mixed waste or site-generated hazardous waste, a response plan will be developed depending on the status of the fire. The plan may include ventilation control, barrier erection, and waiting for the fire to self-extinguish or implement active ventilation.

D-4e(4) Other Occurrences

Underground Structural Integrity Emergencies

In the event of an underground structural integrity emergency that involves or threatens TRU mixed waste (i.e., occurs in an active disposal room) or site-generated hazardous waste, the emergency will be managed as a potential radiological release, and radiological control measures will determine the activities that can be performed safely, and may include the following:

D-4f Post-Emergency Activities

Immediately after the emergency, and once initial release or spill control and containment have been completed, the RCRA Emergency Coordinator will ensure that necessary decontamination occurs and that recovered hazardous waste is properly managed, stored, and/or disposed, as required by 20.4.1.300 NMAC (incorporating 40 CFR §262.265(g)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.56(g)). As required by 20.4.1.300 NMAC (incorporating 40 CFR §262.265(h)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.56(h)), the RCRA Emergency Coordinator will ensure that incompatibility of waste and restoration of emergency equipment are addressed.

D-4f(2) Incompatible Waste

The RCRA Emergency Coordinator will ensure, in accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.262(h)(1)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.56(h)(1)), that in the affected area(s) of the facility, no waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup has been completed. The RCRA Emergency Coordinator will not allow hazardous or TRU mixed waste operations to resume in a building or area in which incompatible materials have been released prior to completion of necessary post-emergency cleanup operations to remove potentially incompatible materials. In making the determination of compatibility, the RCRA Emergency Coordinator will have available the resources and information described in Section D-4b, *Identification of Released Materials and Assessment of the Extent of the Emergency*.

D-4f(3) Cleaning and Restoration of Equipment

The RCRA Emergency Coordinator will take measures to ensure, in accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.262(h)(2)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.56(h)(2)), that in the affected area(s) of the facility, emergency equipment listed in the

RCRA Contingency Plan, and used in the emergency response, is cleaned and fit for its intended use or replaced before operations are resumed.

D-5 Required Reporting

The RCRA Emergency Coordinator, on behalf of the Permittees, will note in the operating record the time, date, and details of the incident that required implementation of the *RCRA Contingency Plan*. In compliance with 20.4.1.300 NMAC (incorporating 40 CFR §262.265(i)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.56(i)), within 15 days after the incident, the Permittees will ensure that a written report on the incident will be submitted to the Secretary of the NMED and the EPA Region VI Administrator. The report will include:

D-6 Emergency Equipment

A variety of equipment is available at the facility for emergency response, containment, and cleanup operations in the surface HWMUs, the underground HWDUs, and the WIPP facility in general. This includes equipment for spill control, fire control, personnel protection, monitoring, first aid and medical attention, communications, and alarms. This equipment is immediately available to emergency response personnel. A listing of major emergency equipment available at the WIPP facility, as required by 20.4.1.300 NMAC (incorporating 40 CFR §262.261(e)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.52(e)), is shown in Table D-2. Table D-2 also includes the location and a physical description of each item on the list along with a brief outline of its capabilities. The fire-water distribution system map is shown in Figure D-5. Equipment specified at the locations listed in Table D-2 are inspected in accordance with the inspection schedule specified in Attachment E, Table E-1, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.15(b)52(e)).

D-7 ~~Agreements with Local Emergency Response~~ ~~Agreements~~Agencies

The Permittees have established agreements with federal, state, and local emergency response agencies and mining companies in the vicinity of the WIPP facility for firefighting, medical assistance, hazardous materials response, and law enforcement. In the event that on-site response resources are unable to provide the needed response actions during a medical, fire, hazardous materials, or security emergency, the RCRA Emergency Coordinator will notify appropriate response agencies and request assistance. Once on site, ~~local~~ emergency response agency personnel will perform emergency response activities under the direction of the Incident Commander.

The agreements with federal, state, and local agencies and mining companies in the vicinity of the WIPP facility for emergency response capabilities are on file at the WIPP facility. Additional agreements may be established when needed. A description of the agreements with federal, state, state and local agencies and mining operations in the vicinity of the WIPP facility, as required by 20.4.1.300 NMAC (incorporating 40 CFR §§262.256 and 262.261(c)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.37 and §264.52(c)), include, but is not limited to, the following:

- Agreements with local mining companies, including Intrepid Potash NM LLC, White Marble Mine, and Mosaic Potash Carlsbad Inc. provide for mutual aid and assistance, in the form of MRTs, in the event of a mine disaster or other circumstance at either of the facilities. This provision ensures that the WIPP MOC will have two MRTs available at all times when miners are underground.

D-8 Evacuation Plan

If it becomes necessary to evacuate all or part of the WIPP facility, on-site assembly and off-site staging areas have been established. The off-site staging areas are outside the security fence. The Permittees have plans and implementation procedures for both surface and underground evacuations. Drills are performed on these procedures at the WIPP facility at least annually. The following sections describe the evacuation plan for the WIPP facility, as required under 20.4.1.300 NMAC (incorporating 40 CFR §262.261(f)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.52(f)).

D-8d Plan for Underground Evacuation

Personnel will evacuate to the nearest Egress Hoist Station. Primary underground escape routes (identified by green reflectors on the rib) will be used, if possible. Secondary underground escape routes (identified by red reflectors on the rib) will be used if necessary (Figure D-4). Detailed descriptions of escapeways and an underground escape map are included in the *Underground Escape and Evacuation Plan* on file at the WIPP facility, as required by MSHA, 30 CFR §57.11053, for underground mining situations. The MSHA required map takes precedence over Figure D-4, *Underground Escape and Evacuation Map*~~Escape/Evacuation Routes~~, should an underground mine related event occur necessitating a change to the evacuation routes. The Underground Controller is responsible for underground personnel accountability and for reporting accountability to the RCRA Emergency Coordinator.

Members of the WIPP Fire Department and the MRT who may be underground, will assist in the evacuation of the underground when an underground evacuation is called for. A reentry by the MRT will be performed according to 30 CFR Part 49 and MSHA regulations for reentry into a mine. The ~~two~~ MRTs are trained in compliance with 30 CFR Part 49 in mine mapping, mine gases, ventilation, exploration, mine fires, rescue, and recovery.

D-9 Location of the RCRA Contingency Plan and Plan Revision

In accordance with 20.4.1.300 NMAC (incorporating 40 CFR §§262 and 262.262(a)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.53(a)), the owner/operator of the WIPP facility will ensure that copies of this *RCRA Contingency Plan* are maintained at the WIPP facility and are available to the emergency personnel and organizations described in Section D-2. When the

RCRA Contingency Plan is revised, updated copies are distributed (electronically or via site mail) or hand delivered to applicable WIPP facility emergency personnel and -Emergency Operations Centers. In addition, the Permittees will make copies available to the following federal, ~~State~~ state, and local agencies and mining companies in the vicinity of the WIPP facility, as required by 20.4.1.300 (incorporating 40 CFR §262.262(a)) and 20.4.1.500 NMAC (incorporating 40 CFR §264.53(b)):

- Intrepid Potash New Mexico LLC
- White Marble Mine
- Mosaic Potash Carlsbad Inc.
- City of Carlsbad
- Carlsbad Medical Center, Carlsbad
- Lea Regional Medical Center, Hobbs
- City of Hobbs
- BLM, Carlsbad
- New Mexico State Police
- New Mexico Department of Homeland Security and Emergency Management
- Eddy County Commission
- Sheriff of Eddy County
- Sheriff of Lea County

In accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.263) and 20.4.1.500 NMAC (incorporating 40 CFR §264.54), the Permittees will ensure that this plan is reviewed and amended whenever:

Table D-2
Emergency Equipment Maintained at the Waste Isolation Pilot Plant

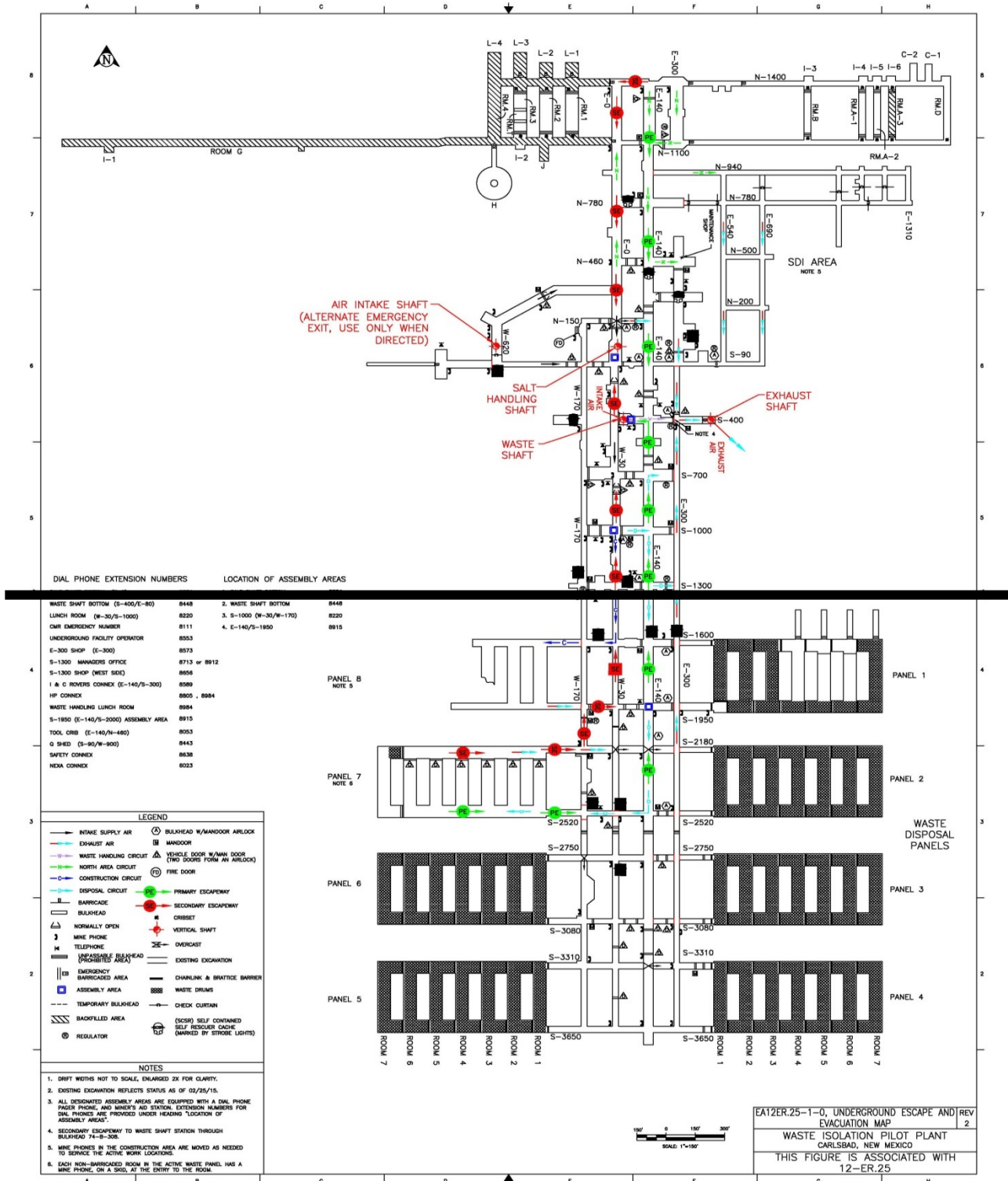
| Equipment | Description and Capabilities | Location |
|--|--|--|
| Communications | | |
| Building Fire Alarms | Fire alarm panels, fire alarm transmitter, audible alarm devices (e.g., horns, bells, tones) that provide notification of fires; transmitted to the CMR | Guard and Security Building (Building 458), Water Pumphouse (Building 456), Warehouse/Shops Building (Building 453), Exhaust Shaft Filter Building (Building 413), New Filter Building (NFB) (Building 416), Salt Reduction Building (SRB) (Building 417), Support Building (Building 451), CMR/Computer Room, Waste Handling Building (Building 411), TRUPACT Maintenance Building (Building 412), Salt Handling (SH) Shaft Hoisthouse (Building 384), Auxiliary Warehouse Building (Building 455), Engineering Building (Building 486), Training Building (Building 489), Safety and Emergency Services Facility (Building 452), and CAAsurface Hazardous Waste Staging Areas (Buildings 474A and 474B) |
| Underground Fire Alarms | Fire alarm panels, fire alarm transmitter, and audible/visual alarm devices (e.g., horns, bells, strobes) that provide notification of fires; transmitted to the CMR | Fire detection and control panel locations: Waste Shaft Underground Station, SH Shaft Underground Station, Between E-140 and E-300 in S-2180 Drift, Fuel Station (N150/W170) |
| Site Notification System; Underground Evacuation Alarm System | For surface, alarms and notifications transmitted over paging channel of the public address system, manually initiated; for underground, audible alarm | Site-wide |
| Public Address System | Includes intercom phones; handset stations and loudspeaker assemblies | Site-wide |

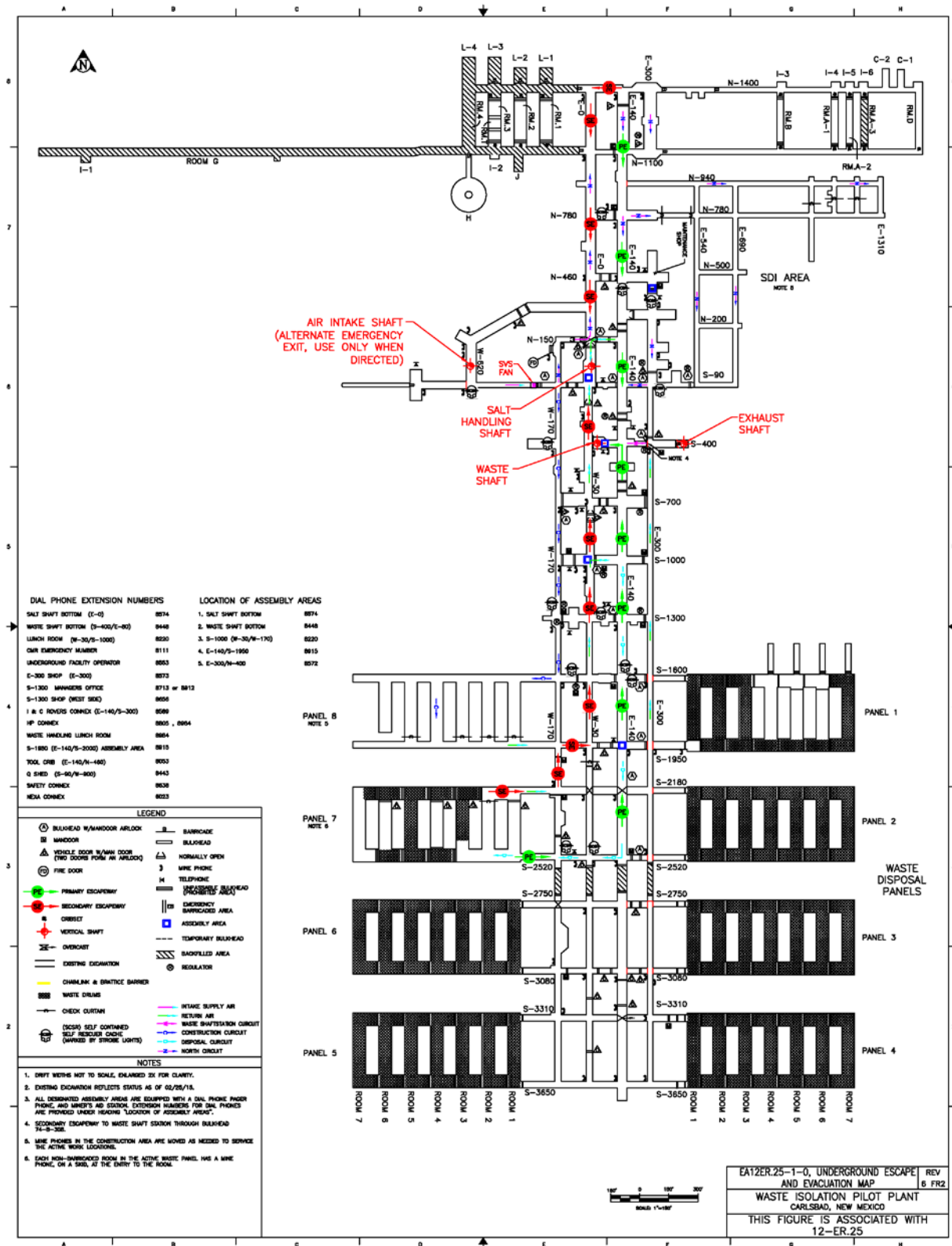
| Equipment | Description and Capabilities | Location |
|---|---|--|
| Mine Pager Phones | Battery-operated paging system | Underground at S550/W30, S1000/W30, S1950/E140, SH Shaft Collar and Underground Station Waste Shaft Collar and Underground Station; – surface at Support Building (Building 451, FSM desk, CMR, lamproom), Safety and Emergency Services Facility (Building 452, Fire Department workstation area, Mine Rescue Room) |
| Portable Radios | Two-way, portable; transmits and monitors information to/from other transmitters | Issued to individuals |
| Plant Base Radios | Two-way, stationary; transmits and monitors information to/from other transmitters | Safety and Emergency Services Facility (Building 452), Guard and Security Building (Building 458), Support Building (Building 451, CMR, FSM desk) |
| Mobile Phones | Provide communications link between emergency response personnel, as needed | Issued to individuals plus emergency vehicles |
| Spill Response Equipment and Materials | | |
| HAZMAT Equipment | Spill response equipment and supplies, PPE, and decontamination supplies stored and maintained in accordance with NFPA 1901 and as documented in WIPP facility files | Surface, in designated areas near Safety and Emergency Services Facility (Building 452) |
| Absorbent Materials | Containment or cleanup of spills, including: Pressurized spill-response gun; Absorbent sheets and/or dikes for containment or cleanup of spills of oil, petroleum-based chemicals, and general liquids; Spill-control material for solvents and neutralizing absorbents and for acids/caustics | Surface, in designated areas near Safety and Emergency Services Facility (Building 452) |
| Medical Resources | | |
| Ambulance | A minimum of one ambulance, maintained and equipped in accordance with the New Mexico Ambulance Standard, 18.3.14 NMAC, and as documented in WIPP facility files | Surface at Safety and Emergency Services Facility (Building 452, Vehicle Bay) |
| Medical Cart | A minimum of one medical cart, equipped to provide basic life support operations, as documented in WIPP facility files | Underground (Emergency Vehicle Parking/Charging Area at S700/E140) |
| Miners First Aid Stations | Equipped per 30 CFR 57.15001 | Underground (Salt Shaft Area, Waste Shaft Area, E300 Maintenance Shop, and at S1000/W30, S1300/W30, and S1950/E140) |

| Equipment | Description and Capabilities | Location |
|--|--|--|
| Fire Detection and Fire Suppression Equipment | | |
| Building Smoke, Thermal Detectors, or Manual Pull Stations | Devices that trigger an alarm and/or fire suppression system | Guard and Security Building (Building 458), Warehouse/Shops Building (Building 453), Support Building (Building 451, CMR/Computer Room), Waste Handling Building (Building 411), TRUPACT Maintenance Building (Building 412), Underground Fuel Station (N150/W170), SH Shaft Hoisthouse (Building 384), Engineering Building (Building 486), Safety and Emergency Services Facility (Building 452), and Training Building (Building 489) |
| Fire Trucks | A minimum of two fire trucks to assist in fighting fires; firefighter equipped in accordance with NFPA 1901 and/or 1906 and as documented in WIPP facility files | Surface at Safety and Emergency Services Facility (Building 452, Vehicle Bay) |
| Rescue Cart/Truck | A minimum of two special-purpose vehicles, one on the surface and one in the underground; light rescue units, equipped in accordance with the NFPA 1901 and as documented in WIPP facility files | Surface at Safety and Emergency Services Facility (Building 452, Vehicle Bay) and Underground (Emergency Vehicle Parking/Charging Area at S700/E140) |
| Fire Suppression Cart | A minimum of one special-purpose electric cart to assist in fighting fires; equipped with a minimum of one fire extinguisher | Underground (Emergency Vehicle Parking/Charging Area at S700/E140) |
| Fire Extinguishers | Hand-held fire extinguishers; located throughout the facility in accordance with NFPA-10 | Surface and underground locations used for hazardous waste management, as documented in WIPP facility files |
| Automatic Dry Chemical Extinguishing Systems | Automatic; actuated by thermal detectors or by manual pull stations | Underground fuel station (N150/W170) |
| Automatic Fire Suppression Systems on liquid fueled vehicles | Individual automatic fire suppression systems installed on applicable liquid-fueled vehicles, as determined by a fire risk assessment performed in accordance with NFPA 122 | Surface and underground locations used for hazardous waste management, as documented in WIPP facility files |

| Equipment | Description and Capabilities | Location |
|---|--|--|
| Sprinkler Systems | NFPA water-based fire suppression systems | Water Pumphouse (Building 456), Guard and Security Building (Building 458), Waste Handling Building (Building 411, CH Bay, RH Bay, and Overpack Repair Areas only), TRUPACT Maintenance Building (Building 412), Exhaust Shaft Filter Building (Building 413), NFB (Building 416), SRB (Building 417), and CAAs surface Hazardous Waste Staging Areas (Buildings 474A and 474B) |
| Water Tanks, Hydrants | Fire suppression water supply; one 180,000-gallon capacity tank, plus a second tank with 100,000-gallon reserve | Tanks are at southwestern edge of WIPP facility; pipelines and hydrants are throughout the surface |
| Fire Water Pumps | Fire suppression water supply; pumps are minimally rated at 125 pounds per square inch, 1,500 gallons per minute centrifugal pump, one with electric motor drive, the other with diesel engine; pressure maintenance jockey pump | Water Pumphouse (Building 456) |
| Personal Protection Equipment | | |
| Head Lamps | Mounted on hard hat; battery operated | Each person underground |
| Underground Self-Rescuer Units | Short-term self-rescue devices per 30 CFR 57.15030 | Each person underground |
| Self-Contained Self-Rescuer | Air supply; a minimum of 12 caches in the underground; self-contained rescue units shall be adequate to protect an individual for one hour or longer or, alternatively, sufficient to allow the employee time to reach an additional self-contained self-rescue device in the underground per NMSA 69-8-16 | Cached throughout the underground |
| Mine Rescue Self-Contained Breathing Apparatus (SCBA) | Oxygen supply; 4-hour closed circuit units consistent with 30 CFR 49.6; a minimum of 12 units, one for each Mine Rescue Team member | Safety and Emergency Services Facility (Building 452, Mine Rescue Training Room) |
| Fire Department Self-Contained Breathing Apparatus (SCBA) | Air supply; a minimum of 12 units; SCBAs shall meet the minimum requirements established per NFPA 1981 | Surface Fire Trucks and Rescue Truck; Underground Rescue Cart |
| General Plant Emergency Equipment | | |
| Emergency Lighting | For employee evacuation, and fire/spill containment; linked to main power supply, and selectively linked to back up diesel power supply and/or battery-backed power supply | Waste Handling Building (Building 411); TRUPACT Maintenance Building (Building 412), Exhaust Shaft Filter Building (Building 413) NFB (Building 416), and SRB (Building 417) |
| Backup Power Sources | A minimum of two diesel generators, and battery-powered uninterruptible power supply (UPS) | Generators are located on the surface. UPS is located at the essential loads |

| Equipment | Description and Capabilities | Location |
|---|---|---|
| Emergency Hoist | Hoist in Air Intake Shaft | Air Intake Shaft (Building 361) |
| | | |
| Emergency Showers | For emergency flushing of chemical contact or injury | Waste Handling Building (Building 411) is served by the decontamination shower trailer located north of Building 411, in front of Building 952, between Buildings 243 and 455; and CAAs, surface Hazardous Waste Staging Areas (Building 474A) |
| Emergency Eyewash Equipment | For emergency flushing of affected eyes | Waste Handling Building (Building 411, RH Bay, Site Derived Waste Area, Waste Shaft Collar, and Room 108 TRUPACT III only), TRUPACT Maintenance Building (Building 412), Exhaust Shaft Filter Building (Building 413), NFB (Building 416), SRB (Building 417), CAAs, and SAAs, surface, Hazardous Waste Staging Areas (Building 474A, Waste Oil Retainer Area), and the underground Hazardous Waste Staging Area (S550/E140) |
| Overpack containers for TRU Mixed Waste | 85 Gallon drums SWBs TDOP | Warehouse Annex (Building 481) |
| Aquaset or Cement | Material for solidification of liquid waste generated as a result of fire fighting water or decontamination solutions | Surface Connex A, located south of Waste Handling Building (Building 411) |
| TDOP Upender | Upender facilitates overpacking standard waste boxes | Waste Handling Building (Building 411) |
| Non hazardous Decontaminating Agents | For decontamination of surfaces, equipment, and personnel | Waste Handling Building (Building 411); Surface Connex A, located south of Building 411 |





Item 2

Description

This modification makes editorial changes and updates references and citations in Permit Attachment A, *General Facility Description and Process Information*, and Attachment E, *Inspection Schedule, Process and Forms*, to reflect the changes implemented in the GIR.

The specific changes are as follows:

- Attachment A, Section A-5, *Waste Description*
 - Changed “40 CFR §262.34” to “40 CFR §262.17.”
 - Added “, with the exception of the requirements of 20.4.1.300 NMAC (incorporating 40 CFR Part 262, Subpart M), which are addressed in Permit Attachment D.”
- Attachment E, Section E-1b(1), *Container Inspection*
 - Changed “40 CFR §262.34” to 40 CFR §262.17.”

Basis

This change is classified as an “Administrative and informational change” and is, therefore, a Class 1 modification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I, A.1).

Discussion

Changes to Permit Attachments A and E, are needed to update the Permit with current information as a result of the New Mexico Environmental Improvement Board adoption of the GIR into the NMAC on December 1, 2018. The GIR included a reorganization of the hazardous waste generator regulations, and as a result, the regulatory citations in 40 CFR Part 262 were changed. Additionally, language has been added to Permit Attachment A, Section A-5 to make reference to the incorporation of the 20.4.1.300 NMAC (incorporating 40 CFR Part 262, Subpart M) requirements into Permit Attachment D, *RCRA Contingency Plan*. These revisions are needed to update the Permit with current information and ensure the accuracy of the Permit text.

Proposed Revised Permit Text:

A-5 Waste Description

Non-mixed hazardous wastes generated at the WIPP, through activities where contact with TRU mixed waste does not occur, are characterized, placed in containers, and stored (for periods not exceeding the limits specified in 20.4.1.300 NMAC (incorporating 40 CFR §262.17³⁴)) until they are transported off site for treatment and/or disposal at a permitted facility. This waste generation and accumulation activity, when performed in compliance with 20.4.1.300 NMAC (incorporating 40 CFR §262), is not subject to RCRA permitting requirements and, as such, is not addressed in the permit, with the exception of the requirements of 20.4.1.300 NMAC (incorporating 40 CFR Part 262, Subpart M), which are addressed in Permit Attachment D.

E-1b(1) Container Inspection

Container inspections will be included as part of the surface TRU mixed waste handling areas (i.e. Parking Area Unit and WHB Unit) inspections described in Tables E-1 and E-1a. These inspections will also include the Derived Waste Storage Areas of the WHB Unit. The Derived Waste Storage Areas will consist of containers of 55 or 85-gallon drums or SWBs for CH TRU mixed waste and 55-gallon drums for RH TRU mixed waste. A Satellite accumulation area (**SAA**) may be required in an area adjacent to the TRUDOCKs for CH TRU mixed waste. A SAA may also be required in the RH Bay and Hot Cell for RH TRU mixed waste. These SAAs will be set up on an as needed basis at or near the point of generation and the derived waste will be discarded into the active derived waste container. All SAAs will be inspected in accordance with 20.4.1.300 NMAC (incorporating 40 CFR §262.17³⁴).