
**Title 40 CFR Part 191
Subparts B and C
Compliance Recertification Application 2019
for the
Waste Isolation Pilot Plant**

**Approval Process for Waste Shipment From
Waste Generator Sites for Disposal at the
WIPP
(40 CFR 194.8)**



**United States Department of Energy
Waste Isolation Pilot Plant**

**Carlsbad Field Office
Carlsbad, New Mexico**

**Compliance Recertification Application 2019
Approval Process for Waste Shipment From
Waste Generator Sites for Disposal at the
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(40 CFR 194.8)**

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Acronyms and Abbreviations

AMWTP	Advanced Mixed Waste Treatment Project
ANL	Argonne National Laboratory
CCP	Central Characterization Program
CFR	Code of Federal Regulations
CH-TRU	contact-handled TRU
CRA	Compliance Recertification Application
DOE	U.S. Department of Energy
EPA	U.S. Environmental Protection Agency
FY	fiscal year
HENC	High Efficiency Neutron Counter
INL	Idaho National Laboratory
LANL	Los Alamos National Laboratory
NDA	nondestructive assay
ORNL	Oak Ridge National Laboratory
QA	quality assurance
RH-TRU	remote-handled TRU
SRS	Savannah River Site
TRU	transuranic
WCS	Waste Control Specialists
WDS	Waste Data System
WIPP	Waste Isolation Pilot Plant
WWIS	WIPP Waste Information System

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8.0 Approval Process for Waste Shipment From Waste Generator Sites for Disposal at the WIPP (40 CFR 194.8)

8.1 Requirements

§ 194.8 Approval Process for Waste Shipment From Waste Generator Sites for Disposal at the WIPP

(a) *Quality Assurance Programs at Waste Generator Sites.* The Agency will determine compliance with requirements for site-specific quality assurance programs as set forth below:

(1) Upon submission by the Department of a site-specific quality assurance program plan the Agency will evaluate the plan to determine whether it establishes the applicable Nuclear Quality Assurance (NQA) requirements of § 194.22(a)(1) for the items and activities of §§ 194.22(a)(2)(i), 194.24(c)(3) and 194.24(c)(5). The program plan and other documentation submitted by the Department will be placed in the dockets described in § 194.67.

(2) The Agency will conduct a quality assurance audit or an inspection of a Department quality assurance audit at the relevant site for the purpose of verifying proper execution of the site specific quality assurance program plan. The Agency will publish a notice in the Federal Register announcing a scheduled inspection or audit. In that or another notice, the Agency will also solicit public comment on the quality assurance program plan and appropriate Department documentation described in paragraph (a)(1) of this section. A public comment period of at least 30 days will be allowed.

(3) The Agency's written decision regarding compliance with the requisite quality assurance requirements at a waste generator site will be conveyed in a letter from the Administrator's authorized representative to the Department. No such compliance determination shall be granted until after the end of the public comment period described in paragraph (a)(2) of this section. A copy of the Agency's compliance determination letter will be placed in the public dockets in accordance with § 194.67. The results of any inspections or audits conducted by the Agency to evaluate the quality assurance programs described in paragraph (a)(1) of this section will also be placed in the dockets described in § 194.67.

(4) Subsequent to any positive determination of compliance as described in paragraph (a)(3) of this section, the Agency intends to conduct inspections, in accordance with §§ 194.21 and 194.22(e), to confirm the continued compliance of the programs approved under paragraphs (a)(2) and (a)(3) of this section. The results of such inspections will be made available to the public through the Agency's public dockets, as described in § 194.67.

(b) *Waste Characterization Programs at Transuranic Sites.* The Agency will establish compliance with Condition 3 of the certification using the following process:

(1) DOE will implement waste characterization programs and processes in accordance with § 194.24(c)(4) to confirm that the total amount of each waste component that will be emplaced in the disposal system will not exceed the upper limiting value or fall below the lower limiting value described in the introductory text of § 194.24(c). Waste characterization processes will include the collection and use of acceptable knowledge; destructive and/or nondestructive techniques for identifying and measuring waste components; and the validation, control, and transmittal to the WIPP Waste Information System database of waste characterization data, in accordance with § 194.24(c)(4).

(2) The Agency will verify the compliance of waste characterization programs and processes identified in paragraph (b)(1) of this section at sites without EPA approval prior to October 14, 2004, using the following process:

(i) DOE will notify EPA by letter that a transuranic waste site is prepared to ship waste to the WIPP and has established adequate waste characterization processes and programs. DOE also will provide the relevant waste characterization program plans and documentation. EPA may request additional information from DOE.

(ii) EPA will conduct a baseline compliance inspection at the site to verify that adequate waste characterization program plans and technical procedures have been established, and that those plans and procedures are effectively implemented. The inspection will include a demonstration or test by the site of the waste characterization processes identified in paragraph (b)(1) of this section. If an inspection does not lead to approval, we will send an inspection report to DOE identifying deficiencies and place the report in the public docket described in § 194.67. More than one inspection may be necessary to resolve compliance issues.

(iii) The Agency will announce in the Federal Register a proposed Baseline Compliance Decision to accept the site's compliance with § 194.24(c)(4). We will place the inspection report(s) and any supporting documentation in the public docket described in § 194.67. The site inspection report supporting the proposal will

describe any limitations on approved waste streams or waste characterization processes. It will also identify (through tier designations in accordance with paragraph (b)(4) of this section) what changes to the approved waste characterization processes must be reported to and approved by EPA before they can be implemented. In the notice, we will solicit public comment (for a minimum of 45 days) on the proposed Baseline Compliance Decision, including any limitations and the tier designations for future changes or expansions to the site's waste characterization program.

(iv) Our written decision regarding compliance with the requirements for waste characterization programs and processes described in paragraph (b)(1) of this section will be conveyed in a letter from the Administrator's authorized representative to DOE. EPA will not issue a compliance decision until after the end of the public comment period described in paragraph (b)(2)(iii) of this section. EPA's compliance decision will respond to significant and timely-received comments. A copy of our compliance decision will be placed in the public docket described in § 194.67. DOE will comply with any requirements identified in the compliance decision and the accompanying inspection report.

(3) Subsequent to any positive determination of compliance as described in paragraph (b)(2)(iv) of this section, the Agency intends to conduct inspections, in accordance with § 194.24(h), to confirm the continued compliance of approved waste characterization programs and processes at transuranic waste sites. EPA will make the results of these inspections available to the public in the dockets described in § 194.67.

(4) Subsequent to any positive determination of compliance as described in paragraph (b)(2)(iv) of this section, the Department must report changes or expansions to the approved waste characterization program at a site in accordance with the tier designations established in the Baseline Compliance Decision.

(i) For changes or expansions to the waste characterization program designated as "Tier 1," the Department shall provide written notification to the Agency. The Department shall not ship for disposal at WIPP any waste that has been characterized using the new or revised processes, equipment, or waste streams until EPA has provided written approval of such new or revised systems.

(ii) For changes or expansions to the waste characterization program designated as "Tier 2," the Department shall provide written notification to the Agency. Waste characterized using the new or revised processes, equipment, or waste streams may be disposed at WIPP without written EPA approval.

(iii) EPA may conduct inspections in accordance with § 194.24(h) to evaluate the implementation of Tier 1 and Tier 2 changes or expansions to the waste characterization program at a site.

(iv) Waste characterization program changes or expansions that are not identified as either "Tier 1" or "Tier 2" will not require written notification by the Department to the Agency before implementation or before shipping waste for disposal at WIPP.

(5) Subsequent to any positive determination of compliance as described in paragraph (b)(2)(iii) of this section, EPA may revise the tier designations for approving changes or expansions to the waste characterization program at a site using the following process:

(i) The Agency shall announce the proposed tier changes in a letter to the Department. The letter will describe the Agency's reasons for the proposed change in tier designation(s). The letter and any supporting inspection report(s) or other documentation will be placed in the dockets described in § 194.67.

(ii) If the revised designation entails more stringent notification and approval requirements (*e.g.*, from Tier 2 to Tier 1, or from undesignated to Tier 2), the change shall become effective immediately and the site shall operate under the more stringent requirements without delay.

(iii) If the revised designation entails less stringent notification and approval requirements, (*e.g.*, from Tier 1 to Tier 2, or from Tier 2 to undesignated), EPA will solicit comments from the public for a minimum of 30 days. The site will continue to operate under the more stringent approval requirements until the public comment period is closed and EPA notifies DOE in writing of the Agency's final decision.

(6) A waste generator site that EPA approved for characterizing and disposing transuranic waste at the WIPP under this section prior to October 14, 2004, may continue characterizing and disposing such waste at the WIPP under paragraph (c) of this section until EPA has conducted a baseline compliance inspection and provided a Baseline Compliance Decision under paragraph (b)(2) of this section.

(i) Until EPA provides a Baseline Compliance Decision for such a site, EPA may approve additional transuranic waste streams for disposal at WIPP under the provisions of paragraph (c) of this section. Prior to the effective date of EPA's Baseline Compliance Decision for such a site, EPA will continue to conduct inspections of the site in accordance with § 194.24(c).

(ii) EPA shall conduct a baseline compliance inspection and issue a Baseline Compliance Decision for such previously approved sites in accordance with the provisions of paragraph (b) of this section, except that the site shall not be required to provide written notification of readiness as described in paragraph (b)(2)(i) of this section.

(c) *Waste characterization programs at waste generator sites with prior approval.* For a waste generator site that EPA approved for characterizing and disposing transuranic waste at the WIPP under this section prior to October 14, 2004, the Agency will determine compliance with the requirements for use of process knowledge and a system of controls at waste generator sites as set in this paragraph (c). Approvals for a site to characterize and dispose of transuranic waste at WIPP will proceed according to this section only until EPA has conducted a baseline compliance inspection and provided a Baseline Compliance Decision for a site under paragraph (b)(2) of this section.

(1) For each waste stream or group of waste streams at a site, the Department must:

(i) Provide information on how process knowledge will be used for waste characterization of the waste stream(s) proposed for disposal at the WIPP; and

(ii) Implement a system of controls at the site, in accordance with § 194.24(c)(4), to confirm that the total amount of each waste component that will be emplaced in the disposal system will not exceed the upper limiting value or fall below the lower limiting value described in the introductory text of paragraph (c) of § 194.24. The implementation of such a system of controls shall include a demonstration that the site has procedures in place for adding data to the WIPP Waste Information System (“WWIS”), and that such information can be transmitted from that site to the WWIS database; and a demonstration that measurement techniques and control methods can be implemented in accordance with § 194.24(c)(4) for the waste stream(s) proposed for disposal at the WIPP.

(2) The Agency will conduct an audit or an inspection of a Department audit for the purpose of evaluating the use of process knowledge and the implementation of a system of controls for each waste stream or group of waste streams at a waste generator site. The Agency will announce a scheduled inspection or audit by the Agency with a notice in the Federal Register. In that or another notice, the Agency will also solicit public comment on the relevant waste characterization program plans and Department documentation, which will be placed in the dockets described in § 194.67. A public comment period of at least 30 days will be allowed.

(3) The Agency’s written decision regarding compliance with the requirements for waste characterization programs described in paragraph (b)(1) of this section for one or more waste streams from a waste generator site will be conveyed in a letter from the Administrator’s authorized representative to the Department. No such compliance determination shall be granted until after the end of the public comment period described in paragraph (b)(2) of this section. A copy of the Agency’s compliance determination letter will be placed in the public dockets in accordance with § 194.67. The results of any inspections or audits conducted by the Agency to evaluate the plans described in paragraph (b)(1) of this section will also be placed in the dockets described in § 194.67.

(4) Subsequent to any positive determination of compliance as described in paragraph (b)(3) of this section, the Agency intends to conduct inspections, in accordance with §§ 194.21 and 194.24(h), to confirm the continued compliance of the programs approved under paragraphs (b)(2) and (b)(3) of this section. The results of such inspections will be made available to the public through the Agency’s public dockets, as described in § 194.67.

[63 FR 27404, May 18, 1998, as amended at 69 FR 42581, July 16, 2004]

8.2 Background

The requirements of 40 CFR 194.8 ([U.S. EPA 2004](#)) apply to the process used by the U.S. Environmental Protection Agency (EPA) to approve the shipment of transuranic (TRU) waste from U.S. Department of Energy (DOE) waste generator sites to the Waste Isolation Pilot Plant (WIPP) facility for disposal.

The requirements were first established at the time of the EPA’s 1998 Certification Decision ([U.S. EPA 1998](#)) and modified in 2004 ([U.S. EPA 2004](#)) to address compliance of site-specific quality assurance (QA) programs and a system of waste characterization and controls at waste generator sites. For both QA and waste characterization programs, the approval process includes placement in the docket of site-specific documentation submitted by the DOE, publication of a *Federal Register* notice by the EPA announcing a scheduled inspection or audit, a period of at least 30 days for the public to comment on information placed in the docket, and the EPA’s

written decision regarding the approval of these programs in the form of a letter from the EPA to the DOE. The EPA approves QA programs on a site-wide basis and approves waste characterization measures and controls on the basis of waste streams or, where multiple waste streams may be characterized by the same waste characterization processes and techniques, groups of waste streams.

The WIPP Waste Information System (WWIS) was retired in December 2009, and replaced with the Waste Data System (WDS) to provide the DOE with a modern approach to process controls and data sharing as described in CRA-2019, Section 24.3.4. The WDS contains the WWIS as a module of the WDS software application, includes all of the elements that are implemented by WWIS to meet regulatory requirements for the operation of WIPP including waste component confirmation and demonstration of implementation of measurement techniques and control methods, and integrates additional functionality of the WDS software with the WWIS module.

EPA must perform a single baseline inspection on a TRU waste generator site's waste characterization program ([U.S. EPA 2004](#)). Following EPA's baseline approval, EPA is authorized to evaluate and approve changes, if necessary, to the site's approved waste characterization program by conducting inspections under 40 CFR 194.24(h) to confirm the continued compliance of the programs approved and/or to verify the adequacy of any tier-assigned changes to the waste characterization processes. Tier 1 changes are changes requiring EPA notification and approval prior to implementation, while Tier 2 changes are those requiring post-implementation notification to the EPA. When evaluating proposed Tier 1 changes for approval, the EPA may conduct a site inspection to observe implementation of the change or may opt to conduct a desktop review of information provided specific to a change.

Information and data from previous compliance certification and recertification applications that form the basis of past DOE compliance positions and past EPA decisions are found in the CRA-2014 ([U.S. DOE 2014](#)).

8.3 Changes or New Information Since the CRA-2014

The TRU waste sites approved by the EPA to ship contact-handled TRU (CH-TRU) waste to the WIPP facility in accordance with the requirements of 40 CFR 194.8 since the CRA-2014 are as follows: Advanced Mixed Waste Treatment Project (AMWTP), Idaho National Laboratory (INL)/Central Characterization Program (CCP), Los Alamos National Laboratory (LANL)/CCP, Oak Ridge National Laboratory (ORNL)/CCP, and Savannah River Site (SRS)/CCP. Since the CRA-2014, no suspension of CH-TRU waste characterization activities occurred at any of these sites.

The TRU waste sites approved by the EPA to ship remote-handled TRU (RH-TRU) waste to the WIPP facility in accordance with the requirements of 40 CFR 194.8 since the CRA-2014 are Argonne National Laboratory (ANL)/CCP, INL/CCP, ORNL/CCP, and SRS/CCP. Since the CRA-2014, no suspension of RH-TRU waste characterization activities has occurred at any of these sites.

Table 8-1 summarizes the EPA waste characterization inspections and Tier 1 evaluations at generator sites approved since the CRA-2014 data cut-off date of December 31, 2012.

Table 8-1. EPA Waste Characterization Inspections/Tier 1 Evaluations Approved Since the CRA-2014 Data Cut-off

Site	Inspection/Tier 1 Evaluation	Date Performed	Date Approved	EPA Docket
AMWTP	Continued Compliance Inspection	October 30 to November 1, 2012; and February 26, 2013	April 25, 2013	EPA Docket No. A-98-49; II-A4-173
	Tier 1 adding Subsurface Disposal Area waste stream	February 2013	July 9, 2013	EPA Docket No. A-98-49; II-A4-174
	EPA Tier 1 adding LANL waste to the super-compacted CH AMWTP debris waste	October 2012 - April 2013	September 16, 2013	EPA Docket No. A-98-49; II-A4-178
	Tier 1 adding the INL Generated CH-TRU S3000 Homogenous Solids and S5000 Debris Wastes	Desktop evaluation from August 2013 – February 2014	February 11, 2014	EPA Docket No. A-98-49; II-A4-180
	Continued Compliance Inspection	November 17-19, 2015	March 2016	EPA Docket No. A-98-49; II-A4-206
ANL/CCP	Tier 1 evaluation adding 5 RH solidified liquids waste containers from K-Wing Building 205 to the previously certified Argonne East Remote-Handled Debris Mix	Desktop evaluation report February 2014	March 24, 2014	EPA Docket No. A-98-49; II-A4-181
INL/CCP	Tier 1 request to use a new calibration for the Stored Waste Examination Pilot Plant Gamma-Ray Spectrometer	February 2013	February 26, 2013	EPA Docket No. A-98-49; II-A4-172
	Continued Compliance Inspection	May 7-9, 2013	July 16, 2013	EPA Docket No. A-98-49; II-A4-175
	Tier 1 of waste stream ID EBR-S5000 (Lot 5B)	October 1, 2013 – March 2014	April 16, 2014	EPA Docket No. A-98-49; II-A4-183
	Tier 1 change for the addition of Lot 5C to waste stream ID-HFEF-S5400-RH	September 30, 2013 – July 2014	July 15, 2014	EPA Docket No. A-98-49; II-A4-185
	Continued Compliance Inspection	May 6 – 8, 2014	July 15, 2014	EPA Docket No. A-98-49; II-A4-190
	Tier 1 of the RH 55-gallon containers from waste stream ID-MFC-SOLID-RH (Lot 5A)	February 2014 – September 2014	September 10, 2014	EPA Docket No. A-98-49; II-A4-188
	Tier 1 request to add the RH waste stream ID-TRA-W345-RH (Lot 8B)	May 30, 2014 – November 2014	November 5, 2014	EPA Docket No. A-98-49; II-A4-194

Site	Inspection/Tier 1 Evaluation	Date Performed	Date Approved	EPA Docket
	Tier 1 request to add the RH waste stream IN-ID-BTO-030 (Lot 3)	October 18, 2013 – November 10, 2014	November 10, 2014	EPA Docket No. A-98-49; II-A4-191
	Tier 1 to add the product drums generated from Liner R-3 of the already approved waste stream ID-HFEF-S5400-RH (Lot 5C)	February 12, 2015 – May 2015	September 8, 2015	EPA Docket No. A-98-49; II-A4-198
	Tier 1 adding waste stream ID-ANLW-W269-RH (Lot 8C) for disposal at the WIPP	May 19 – 21, 2015	November 10, 2015	EPA Docket No. A-98-49; II-A4-201
	Tier 1 adding waste streams ID-RF-S5300-RH and ID-RF-S5100-RH (Lot 8A)	May 19 – 21, 2015	November 14, 2015	EPA Docket No. A-98-49; II-A4-203
LANL/CCP	Tier 1 change to use the mobile In Situ Object Counting System Large Container Counter for Standard Waste Boxes, Corrugated Metal Boxes, and 55-gallon drums	June 4 – 5, 2013	July 22, 2013	EPA Docket No. A-98-49; II-A4-176
	Continued Compliance Inspection	November 19 – 21, 2013	February 11, 2014	EPA Docket No. A-98-49; II-A4-179
	Tier 1 change to add the High Efficiency Neutron Counter (HENC) 3 Non-destructive Assay (NDA)	February 10 – 12, 2015	September 8, 2015	EPA Docket No. A-98-49; II-A4-199
	EPA correction of omission of S4000 and S3000 waste to the approved use of HENC 3	February 10 – 12, 2015	September 8, 2015	EPA Docket No. A-98-49; II-A4-199
	EPA conducted a baseline inspection of the WIPP waste characterization activities implemented by the LANL/CCP.	February 7 – 9, 2017	October 4, 2017	EPA Air eDocket No: EPA-HQ-OAR-2017-0231-0003
	Tier 1 change to approve three NDA systems (HENC 2, SuperHENC, and mobile In Situ Object Counting System Large Container Counter) and one Nondestructive Examination system (Real-Time Radiography process using the High-Energy Real-Time Radiography unit)	May 23 – 25, 2017	October 2017	EPA Docket No. A-98-49; II-A4-213

Site	Inspection/Tier 1 Evaluation	Date Performed	Date Approved	EPA Docket
ORNL/CCP	Continued Compliance Inspection of Resumption of Shipments & Tier 1 modification of IQ3	February 4-6, 2014	June 18, 2014	EPA Docket No. A-98-49; II-A4-186
	Tier 1 evaluation of CH waste with addition of Summary Category Group S3000	February 4-6, 2014	July 2014	EPA Docket No. A-98-49; II-A4-189
	Tier 1 adding mobile In Situ Object Counting System Large Container Counter 2 as a new NDA system	August 5-6, 2014	October 21, 2014	EPA Docket No. A-98-49; II-A4-192
	Tier 1 change to add visual examination process to characterize S4000 and S5000 CH-TRU waste	August 5-6, 2014	November 10, 2014	EPA Docket No. A-98-49; II-A4-193
	Continued Compliance Inspection	August 2-4, 2016	June 14, 2017	EPA Docket No. A-98-49; II-A4-207
	Tier 1 to add RH-TRU debris waste containers to previously approved waste stream OR-REDC-RH-HET	Desktop evaluation from July 2016 to July 2017	July 7, 2017	EPA Docket No. A-98-49; II-A4-209
SRS/CCP	Tier 1 to evaluate waste stream SR-RH-235F.01	Desktop evaluation from December 2012 to February 2013	February 12, 2013	EPA Docket No. A-98-49; II-A4-170
	Tier 1 change to add a five-foot setback configuration for Standard Waste Boxes	Desktop evaluation from December 2012 to February 2013	February 21, 2013	EPA Docket No. A-98-49; II-A4-171
	Tier 1 addition of waste stream SR-RH-221H.01	June – July 2013	August 20, 2013	EPA Docket No. A-98-49; II-A4-177
	Tier 1 change for the five-foot setback configuration on the Large Box Counter for Standard Waste Boxes 2 and submittal of calibration reports	January – March 2014	March 24, 2014	EPA Docket No. A-98-49; II-A4-182
	Tier 1 change to add waste stream SR-RH-SDD.01 (Sealed Sources)	October 2013 – May 2014	May 22, 2014	EPA Docket No. A-98-49; II-A4-184
	Inspection SR-BCLDP.003	Desktop evaluation from June 2014 to December 2014	December 31, 2014	EPA Docket No. A-98-49; II-A4-196

Site	Inspection/Tier 1 Evaluation	Date Performed	Date Approved	EPA Docket
	Approval of Real-time Radiography operations and Continued Compliance Inspection	August – October 2014	February 23, 2015	EPA Docket No. A-98-49; II-A4-195
	Tier 1 change to add the RH-TRU debris waste stream SR-RH-SWD.01	May 19-21, 2015	August 3, 2015	EPA Docket No. A-98-49; II-A4-197
	Tier 1 change to add RH-TRU waste stream SR-RH-772F.01	May 19-21, 2015	November 25, 2015	EPA Docket No. A-98-49; II-A4-202
	Tier 1 change to add waste stream SR-RH-MNDPAD1.01	Desktop evaluation from October 2015 to June 2016	June 15, 2016	EPA Docket No. A-98-49; II-A4-204
	Tier 1 change to add RH-TRU waste stream SR-RH-773A.01 to the list of approved RH waste streams	Desktop evaluation from February 2016 to June 2017	June 5, 2017	EPA Docket No. A-98-49; II-A4-210

Other EPA approvals, including Tier 1 (with no docket number assigned) and Tier 2 changes, and other decisions since the CRA-2014 data cut-off date are summarized in Table 8-2.

Table 8-2. Other EPA Approvals and Decisions Since the CRA-2014 Data Cut-off

Site	Implementing Document or Changed Activity	Description of Change (Approval Not Required for Tier 2)	Date Approved	EPA Docket
AMWTP	Tier 1 Request	Concurrence to allow the assembly of CH waste payloads at AMWTP to include compacted container (pucks) that cannot be directly measured	May 13, 2015	No Docket No. assigned
	Tier 1 Request	Approval to add the Retrieval Box Assay System NDA system to AMWTP's CH-TRU waste characterization program	October 19, 2015	No Docket No. assigned
SRS-CCP	Tier 1 Request	Concurrence with the addition of one 55-gallon drum of RH debris waste to existing RH waste stream SR-BCLDP.003	February 15, 2015	No Docket No. assigned

Site	Implementing Document or Changed Activity	Description of Change (Approval Not Required for Tier 2)	Date Approved	EPA Docket
AMWTP and CCP Activities at ANL, Hanford/Richland, INL, LANL, ORNL and SRS	Fiscal Year (FY) 13 Quarterly Tier 2 reports, first quarter	Approval of FY13 first quarter Tier 2 changes at AMWTP and CCP	May 29, 2013	N/A
	FY13 Quarterly Tier 2 reports, second quarter	EPA concurs with the FY13 second quarter Tier 2 report	July 9, 2013	N/A
	FY13 Quarterly Tier 2 reports, third quarter	Request for additional information prior to concurrence of the third quarter Tier 2 report	September 10, 2013	N/A
	FY13 Quarterly Tier 2 reports, fourth quarter	Notification of Tier 2 Changes for AMWTP and CCP Activities for FY13, fourth quarter	November 18, 2013	N/A
	FY14 Quarterly Tier 2 reports, first quarter	EPA concurrence with FY14, first and second quarter Tier 2 information with request for additional information on AMWTP MP-TRUW-8.13 R25	August 7, 2014	N/A
	FY14 Quarterly Tier 2 reports, second quarter	EPA concurrence with FY14, first and second quarter Tier 2 information with request for additional information on AMWTP MP-TRUW-8.13 R25	August 7, 2014	N/A
	FY14 Quarterly Tier 2 reports, third quarter	Request for additional information pertaining to FY14, Tier 2 Report	September 10, 2014	N/A
	FY14 Quarterly Tier 2 reports, fourth quarter	EPA acceptance of the Tier 2 FY14 fourth quarter report and request for supporting information	June 15, 2015	N/A
	FY15 Quarterly Tier 2 reports, first quarter	EPA acceptance of the Tier 2 FY15 first quarter report and request for supporting information	June 15, 2015	N/A
	FY15 Quarterly Tier 2 reports, second quarter	EPA acceptance of the Tier 2 FY15 second quarter report and request for supporting information	June 15, 2015	N/A

Site	Implementing Document or Changed Activity	Description of Change (Approval Not Required for Tier 2)	Date Approved	EPA Docket
	FY15 Quarterly Tier 2 reports, third quarter	EPA acknowledgement of receipt of the Tier 2 changes for AMWTP and CCP for FY15 third quarter and request for additional information	December 21, 2015	N/A
	FY15 Quarterly Tier 2 reports, fourth quarter	EPA acknowledgement of receipt of the Tier 2 changes for AMWTP and CCP for FY15 fourth quarter and request for additional information	December 21, 2015	N/A
	FY16 Quarterly Tier 2 reports, first quarter	Notification of Tier 2 Changes for AMWTP and CCP Activities for FY16, first quarter	February 3, 2016	N/A
	FY16 Quarterly Tier 2 reports, second quarter	EPA accepted and did not object to any of the FY16 second quarter changes reported	July 6, 2016	N/A
	FY16 Quarterly Tier 2 reports, third quarter	EPA acknowledgement of receipt of third quarter FY16 Tier 2 changes and request for additional information	February 1, 2017	N/A
	FY16 Quarterly Tier 2 reports, fourth quarter	EPA acknowledgement of receipt of fourth quarter FY16 Tier 2 changes and request for additional information	February 1, 2017	N/A
	FY17 Quarterly Tier 2 reports, first quarter	EPA acknowledgement of receipt of first quarter FY17 Tier 2 changes and request for additional information	June 8, 2017	N/A
Waste Control Specialists (WCS)	40 CFR 194.24 EPA review of DOE Inventory Tracking of TRU Waste at WCS	Concurrence of waste inventory tracking requirements for storage of waste at WCS.	June 9, 2014	EPA Docket No. A-98-49; II-A4-187

The DOE continues to comply with the requirements of 40 CFR 194.8 and there are no outstanding issues with the EPA related to 40 CFR 194.8.

8.4 References

(*Indicates a reference that has not been previously submitted)

U.S. Department of Energy (DOE). 2014. Title 40 CFR Part 191 Subparts B and C. Compliance Recertification Application for Waste Isolation Pilot Plant (March). Carlsbad, NM: Carlsbad Field Office. DOE/WIPP 2014-3503.*

U.S. Environmental Protection Agency (EPA). 1998. 40 CFR Part 194: Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance with the Disposal Regulations: Certification Decision; Final Rule. *Federal Register*, vol. 63 (May 18, 1998): 27353–406.

U.S. Environmental Protection Agency (EPA). 2004. 40 CFR Part 194: Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance with the Disposal Regulations; Alternative Provisions (Final Rule). *Federal Register*, vol. 69 (July 16, 2004): 42571–583.

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