



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 4 2012

OFFICE OF
AIR AND RADIATION

Mr. Jose R. Franco
Manager, Carlsbad Field Office
U.S. Department of Energy
P.O. Box 3090
Carlsbad, NM 88221-3090

Dear Mr. Franco:

This letter is to inform the U.S. Department of Energy (DOE) that the U.S. Environmental Protection Agency has completed review of DOE's remote-handled (RH) transuranic (TRU) Waste Characterization Program Implementation Plan (WCPIP), DOE/WIPP-02-3214, Revision 3, Draft E provided to EPA on August 16, 2012. EPA concurs with the RH waste characterization requirements described in Revision 3 with the exception of the two items discussed below.

Prior to issuing this revision, DOE must delete the last **bolded** bullet shown in strike out in the paragraph on Page 64 of the document cited below. This deletion is necessary because it goes beyond the requirements of 40 CFR 194.22.

5.0 Qualification of AK Information

As described in Section 3.0, AK information used directly, in whole or in part, to determine in . . . combination of the following four methods:

- Peer review, conducted in a manner compatible with NUREG-1297, *Peer Review for High-Level Nuclear Waste Repositories*, February, 1988.
- Corroborating data.
- Confirmatory testing.
- Evidence of a QA program that is equivalent in effect to ASME NQA-1-1989 edition, ASTM NQA-2a-1990 addenda, part 2.7, of ASME NQA-2-1989 edition, and ASME NQA-3-1989 edition (excluding 2.1 (b) and (c) and Section 17.1).
- ~~Other methods approved for use by the CBFO-QA.~~

On December 16, 2010, when concurring with the RH WCPIP, Revision 2, we restricted the use of corroborating data to qualify Acceptable Knowledge (AK) information, since the method has never been used for AK qualification. In our letter, we stated that:

“ . . . Upon receiving DOE's approval of this process, but before its implementation at an RH site, EPA will review relevant process documentation. This will include a report discussing the use of the corroborating data selection process, type and nature of corroborating data to be used, and other primary information. . . . ”

EPA requests the addition of the relevant text from our letter dated December 16, 2010, as a footnote in Section 5.0 of the RH WCPIP, Revision 3, Draft E. When these changes are made, please provide us a final copy.

If you have any questions regarding this concurrence, please contact Rajani Joglekar (202-343-9462) or Ed Felcorn (202-343-9422).

Sincerely,

A handwritten signature in black ink that reads "Tom Peake". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tom Peake, Director
Center for Waste Management and Regulations

Enclosure

cc (electronic distribution):

Christine Gelles, DOE EM
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