



## Department of Energy

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JUN 09 2017

Mr. John E. Kieling, Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87508-6303

**Subject:** Request for Additional Extension of Storage Time at the Waste Isolation Pilot Plant, Hazardous Waste Facility Permit Number NM4890139088-TSDF

**Reference:** New Mexico Environment Department correspondence from Kathryn Roberts, Director, Resource Protection Division to Todd A. Schrader, CBFO and Philip J. Breidenbach, NWP, dated December 16, 2016, subject: NMED Inspection, Waste Isolation Pilot Plant, EPA ID# NM4890139088

Mr. Keiling:

Pursuant to Permit Part 1, Section 1.10.3., the Permittees are requesting an extension of storage time for the transuranic (TRU) mixed waste currently in extended storage in the Waste Handling Building (WHB) at the Waste Isolation Pilot Plant (WIPP) facility.

The Permit Part 1, Section 1.10.3., *Extension of Time*, states:

*The Permittees may seek an extension of time in which to perform a requirement of this Permit, for good cause, by sending a written request for extension of time and proposed revised schedule to the Secretary. The request shall state the length of the requested extension and describe the basis for the request. The Secretary will respond in writing to any request for extension following receipt of the request. If the Secretary denies the request for extension, reasons for the denial will be stated.*

The above reference letter terminated the provisions and reporting requirements of the first Administrative Order (AO1) dated February 27, 2014. The letter further stated that since the previous storage extension approval was granted per the provisions of AO1, any further requests by the Permittees for extension of storage time would be in accordance with the current Permit.

Waste disposal operations resumed at the WIPP facility on January 4, 2017. Prior to the resumption of waste disposal operations, the Documented Safety Analysis (DSA) was revised. The DSA Revision 5b was issued in April 2016. Chapter 18 of the DSA requires a thorough systematic evaluation of the waste containers residing in the Waste Handling Building (WHB), received at the WIPP facility prior to the February 2014 event. This includes an enhanced chemical compatibility evaluation and a review against the Basis of Knowledge (BoK) document to evaluate potential oxidizing chemicals in TRU waste streams. This is necessary in order to meet the requirements in the WIPP facility DSA. The evaluation process requires CBFO concurrence with enhanced chemical compatibility evaluations and CBFO concurrence with the BoK evaluations. The evaluation process has been completed for the waste streams with the respective subpopulation of payload containers in the WHB listed below:

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- ID-RF-S3114 (10 payload containers)
- SR-221H-PUOX (97 payload containers)
- LA-MHD01.001 (9 payload containers)
- LA-MHD04.001 (2 payload containers)

Because significant progress has been made only a few waste streams/containers are left to be evaluated. According to the DSA, the containers in the WHB must be evaluated as a subpopulation of their respective waste streams. This evaluation of each waste stream subpopulation of containers in the WHB forms the basis for this request. The containers must comply with the WIPP facility DSA, consequently, the TRU mixed waste currently in extended storage in the WHB must be screened through the BoK process as a waste stream subpopulation prior to emplacement in the WIPP underground. It is anticipated that this screening will not be completed before expiration of the current June 30, 2017, storage deadline. The evaluation process has not been completed for the waste streams with the respective subpopulation of payload containers in the WHB listed below:

- SR-W027-HBL-BOX (1 payload container)
- SR-MD-PAD1 (3 payload containers)
- BNINW216 (22 payload containers)

Since the enhanced chemical compatibility and the BoK evaluation processes for these waste streams are new, very thorough, and time consuming, the Permittees request an extension of storage time. The requested extension for the remaining subpopulation of containers in these waste streams is for an additional year, until June 30, 2018. This will ensure adequate time is provided to complete these activities, obtain the required CBFO concurrence, and emplace the waste.

The technical requirements in the Permit, Part 3, Section 3.1.1., based on 20.4.1.500 NMAC (incorporating 40 CFR §§264.170 through 264.178, *Container Management Practices*), are applied to the operation of the WHB unit in order to protect human health and the environment. The following summarizes the status of the weekly inspections and inspection requirements demonstrating that the waste stored in the WHB poses no additional hazards to human health and the environment:

- The waste containers presently stored in the WHB are in good condition and free from physical damage (such as severe rusting, apparent structural defects, or signs of pressurization and leakage)
- The waste containers are compatible with the waste, and no evidence of incompatibility (such as bulging or corrosion) has been observed
- The waste containers are closed and are not stored in a manner that may rupture the container or cause it to leak, and no evidence of open containers or improper storage has been observed

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- The CH Bay Storage Area has a containment system that is free from cracks and gaps
- Inspections confirm that the concrete floors are in good condition and meet the requirements of 20.4.1.500 NMAC (incorporating 40 CFR §264.175(b)(1))
- Inspections confirm that waste containers are elevated 6 inches to prevent potential contact with liquids
- Secondary containment has sufficient capacity to contain 10 percent of the volume of containers presently stored in the CH Bay Storage Area, as described in Attachment A1, Section A1-1f(1) of the Permit
- Run-on into the containment system is prevented as a result of the building design and there is no evidence of run-on into the CH Bay Storage Area
- There is no evidence of spilled or leaked waste or accumulated precipitation

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 ensure 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. George T. Basabilvazo at (575) 234-7488.



Sincerely,

Signature on file

Todd Shrader, Manager  
 Carlsbad Field Office

Philip J. Breidenbach, Project Manager  
 Nuclear Waste Partnership LLC

cc:

R. Maestas, NMED \* ED

D. Biswell, NMED ED

CBFO M&RC

\*ED denotes electronic distribution