



**Savannah River Site  
Citizens Advisory Board**

**Recommendation 182  
WIPP Permit New Mexico Environment Department-Initiated  
Modification**

**Background**

On October 27, 1999, the New Mexico Environment Department (NMED) issued a final decision to grant a Hazardous Waste Facility Permit to Waste Isolation Pilot Plant (WIPP) for the storage and disposal of transuranic (TRU) mixed waste. The WIPP site is located deep within underground salt deposits near Carlsbad, NM. Since then, the permit holders (DOE and Washington TRU Solutions) have submitted over fifty separate permit modifications and requests to NMED as allowed by the regulations. The regulations also allow NMED to modify the Permit if the agency determines there is cause for modification. On November 26, 2003, NMED issued a public notice of their intent to approve an agency-initiated modification to the Permit with written public comment and request for public hearing by January 30, 2004.

NMED has determined, based on new information, that there is cause to modify the permit to limit the waste eligible for disposal to the inventory that was identified when the permit was originally issued. NMED used the Transuranic Waste Baseline Inventory Report (TWBIR) Revision 6 as the basis for developing the permit governing mixed waste storage and disposal activities at WIPP and waste characterization activities at generator/storage sites that would send TRU mixed wastes to WIPP. (Ref.1)

The proposed modification limits the amount and type of waste eligible for disposal at WIPP to the amount and type identified in the original TWBIR. This action has major implications for the Savannah River Site (SRS). SRS has received 300 cubic meters of TRU mixed waste from Mound which is destined for disposal at WIPP and which was not included in the original SRS TWBIR. In addition, new missions such as the mixed-oxide (MOX) facility will generate TRU mixed waste that needs to be disposed of at WIPP. This future waste stream was not included in the original SRS TWBIR (Ref. 2). Adopting the proposed modification will preclude TRU mixed wastes from any other new missions as well.

**Comment**

The SRS Citizens Advisory Board (CAB) does not agree with New Mexico Environment Department's proposed modification. The SRS CAB finds it to be arbitrary, capricious and without technical merit. The original TWBIR projected an inventory at SRS of 9,648 cubic meters, although the current projected inventory is at 15,423 cubic meters. The 5,775 cubic meter difference between current and projected inventory comes from: 1) recent receipt of 300 cubic meters of Mound TRU waste, 2) SRS generated TRU waste between 1995-2003, and 3) TRU waste that was originally planned to be vitrified before disposal to reduce its volume. This means that about 5,775 cubic meters that could meet the WIPP Waste Acceptance Criteria (WAC) would not be eligible for disposal at WIPP if the permit modification is approved. Other means of disposal would have to be found at considerable cost to the taxpayer.

The SRS CAB believes that any TRU waste (mixed and non-mixed) that meets the WIPP WAC should be accepted for disposal at WIPP.

**Recommendation**

The SRS Citizens Advisory Board (CAB) provides the following additional public comments and recommendations concerning the proposed permit modification:

1. The SRS CAB requests a public hearing on the proposed permit modification proposed by NMED based upon the information supplied above. The SRS CAB is a non-partisan group of individuals providing informed and timely recommendations on waste management, environmental restoration, and other activities affecting SRS. The objections to the permit modification and the issues that will be raised at the public hearing are inherent in the above discussion.
2. The SRS CAB requests that NMED increase the SRS WIPP waste inventory to include the additional 5,775 cubic meters of TRU waste (mixed and non-mixed) at SRS.
3. The SRS CAB requests that NMED provide a method for future TRU waste capacity at WIPP to include TRU waste inventory from new DOE missions such as the proposed SRS MOX facility as long as the TRU waste meets the WIPP WAC.
4. The SRS CAB recommends that SRS and SCDHEC develop long term storage and if possible, disposal alternatives for the 5,775 cubic meters of TRU waste (mixed and non-mixed) that will remain at SRS if the permit modification by NMED is approved.
5. The SRS CAB recommends that DOE-SR recalculate its baseline inventory report for transuranic waste and submit to DOE-Carlsbad and NMED.

## **References**

1. "Notice of Intent to Approve an Agency-Initiated Modification to the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant", Fact Sheet, November 26, 2003.
2. "WIPP Permit Modifications", presentation to the WM Committee by Sonny Goldston, January 6, 2004.

## **Agency Responses**

[Department of Energy-SR](#)

[South Carolina Department of Health and Environmental Control \(PDF\)](#)