



Department of Energy
Savannah River Operations Office
P.O. Box A
Aiken, South Carolina 29802

JUN 1 0 2003

Mr. Wade Waters, Chair
Savannah River Site Citizens Advisory Board
308 Pinewood Drive
Pooler, GA 31411

Dear Mr. Waters:

SUBJECT: Citizens Advisory Board (CAB) Recommendation Number 164 – Waste Isolation Pilot Plant (WIPP) Non-Compliant Item Waste Acceptance Criteria (WAC) (Your letter, 05/21/03)

Thank you for the subject recommendation. The Department of Energy (DOE) agrees that the number of Transuranic (TRU) waste containers that require opening and/or repackaging to meet the WIPP WAC should be reduced. The WIPP WAC is comprehensive and covers all of the requirements imposed on the facility by the U. S. Environmental Protection Agency (EPA), the New Mexico Environmental Department (NMED), and the Nuclear Regulatory Commission (NRC). Any WAC changes usually require one or more of these agencies' approval before they can be implemented. Many of the non-compliant items, such as aerosol cans, that currently have to be removed from Savannah River Site's (SRS) TRU waste containers before they are shipped are regulated under all three agencies. It is important that the CAB understands any relief of WAC non-compliant items will be a lengthy process for DOE and may take several years.

Presently, the DOE Carlsbad Field Office (CBFO) is developing a regulatory strategy for WIPP that will challenge many of the current requirements placed on certifying TRU waste to WIPP where there is no benefit to the overall performance of the WIPP mine. The strategy will include future permit modifications to the WIPP Resource Conservation and Recovery Act permit. In order to enlarge the envelope for transporting waste to WIPP, CBFO plans to submit the TRUPACT-III transportation package to the NRC in late 2003 for approval. The transportation package will also request that NRC accept aerosol cans and sealed containers in large TRU waste containers for transportation in TRUPACT-III. This would eliminate the need for the removal of these items from TRU waste containers as currently required.

The acceptance of aerosol cans and sealed containers in the transportation container will not eliminate EPA or NMED requirements that prohibit them from going in the WIPP mine. A separate approval process for each agency would follow once DOE has received NRC approval. The CBFO Manager has agreed to update the CAB on November 19, 2003, on the NRC submittal for the TRUPACT-III and other WIPP WAC related issues.

#164

MR. Wade Waters

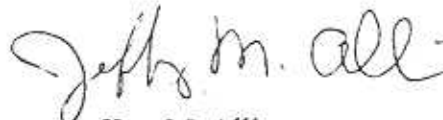
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By copy of this letter, I am also forwarding your recommendation to DOE – Headquarters and the CBFO, as requested.

If you have any questions, please contact me or Bert Crape of my staff at (803) 725-9866.

Sincerely,

A handwritten signature in cursive script that reads "Jeff M. Allison".

Jeffrey M. Allison
Manager

OB-03-027

cc: Ines Triay, CBFO
Lynne Smith, EM-23, HQ