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Waste Isolation Pilot Plant Biennial Environmental Compliance Report

United States Department of Energy
Carlsbad Field Office
Carlsbad, New Mexico

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ACRONYMS, ABBREVIATIONS, UNITS OF MEASURE

AEA	Atomic Energy Act
AEC	U.S. Atomic Energy Commission
ALARA	as low as reasonably achievable
AMWTP	Advanced Mixed Waste Treatment Project
AOC	area of concern
BECR	biennial environmental compliance report
BLM	Bureau of Land Management
C of C	Certificate of Compliance
CAA	Clean Air Act
CAAA	Clean Air Act Amendments of 1990
CAP88	Clean Air Act Assessment Package-1988
CBFO	Carlsbad Field Office
CCA	compliance certification application
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act (also known as "Superfund")
CFC	chlorofluorocarbon
CFR	*Code of Federal Regulations*
CH	contact-handled
CMR	Central Monitoring Room
COA	condition of approval
CRA	compliance recertification application
CWA	Clean Water Act
CY	calendar year (when used with a specific year)
DOE	U.S. Department of Energy
DOI	U.S. Department of the Interior
DOT	U.S. Department of Transportation
DP	discharge plan
DSA	documented safety analysis
EA	environmental assessment
EDE	effective dose equivalent
EIS	environmental impact statement
EPA	U.S. Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
ESA	Endangered Species Act
FAS	fixed air sampler
Fed. Reg.	*Federal Register*
FEIS	final environmental impact statement
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act

FLPMA	Federal Land Policy and Management Act
FONSI	finding of no significant impact
gpd	gallons per day
GWPA	Ground Water Protection Act
HalfPACT	half package transporter
HAP	hazardous air pollutant
HCIA	Hazardous Chemicals Information Act
HDPE	high-density polyethylene
HMTA	Hazardous Materials Transportation Act
HSWA	Hazardous and Solid Waste Amendments of 1984
HWA	(New Mexico) Hazardous Waste Act
HWDU	hazardous waste disposal unit
HWFP	(WIPP) hazardous waste facility permit
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization
INL	Idaho National Laboratory
ISMS	integrated safety management system
kg	kilogram(s)
l	liter(s)
LEPC	Local Emergency Planning Committee
LDR	land disposal restriction
LMP	land management plan
LWA	(Waste Isolation Pilot Plant) Land Withdrawal Act
MOC	management and operating contractor
MOU	memorandum of understanding
mrem	millirem
MSDS	material safety data sheet
NAAQS	National Ambient Air Quality Standard
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFA	no further action (petition)
NHPA	National Historic Preservation Act
NMAC	New Mexico Administrative Code
NMDG&F	New Mexico Department of Game and Fish
NMED	New Mexico Environment Department
NMSA	New Mexico Statutes Annotated
NOI	notice of intent
NQA	Nuclear Quality Assurance
NRC	U.S. Nuclear Regulatory Commission

NSPS	New Source Performance Standards
NWPA	Nuclear Waste Policy Act
ODS	ozone-depleting substance
PA	public address (system)
PAAA	Price-Anderson Amendments Act of 1988
PCB	polychlorinated biphenyl
pCi/l	picoCuries/liter
PMR	permit modification request
Pub. L.	Public Law
PSD	prevention of significant deterioration
PSTR	Petroleum Storage Tank Regulation
QA	quality assurance
QAP	quality assurance program
QAPD	Quality Assurance Program Description
RCRA	Resource Conservation and Recovery Act
RH	remote-handled
ROD	record of decision
RQ	reportable quantity
SA	supplement analysis
SAA	satellite accumulation area
SAR	safety analysis report
SARA	Superfund Amendments and Reauthorization Act of 1986
SDWA	Safe Drinking Water Act
SEIS	supplemental environmental impact statement
SERC	State Emergency Response Commission
SHPO	State Historic Preservation Officer (or Office)
SSE	Salt Storage Extension
SWDA	Solid Waste Disposal Act
SWMU	solid waste management unit
TDS	total dissolved solids
TE	transportation engineer
TKN	total Kjeldahl nitrogen
tpy	tons per year
TPQ	threshold planning quantity
TRANSCOM	Transportation Tracking and Communications System
TRAMPAC	TRUPACT-II Authorized Methods for Payload Control
TRU	transuranic
TRUPACT	transuranic package transporter
TSCA	Toxic Substances Control Act
TSDF	treatment, storage, and disposal facility
TSR	technical safety requirement

U.S.	United States
U.S.C.	*United States Code*
USFWS	U.S. Fish and Wildlife Service
USQ	unreviewed safety question
UST	underground storage tank
VOC	volatile organic compound
WAC	waste acceptance criteria
WAP	waste analysis plan
WHB	Waste Handling Building
WIPP	Waste Isolation Pilot Plant
WRES	Washington Regulatory and Environmental Services
WTS	Washington TRU Solutions LLC

1.0 INTRODUCTION

This biennial environmental compliance report (BECR), the eighth to be issued, documents United States (U.S.) Department of Energy (DOE) compliance with environmental regulations at the Waste Isolation Pilot Plant (WIPP), a facility designed and authorized for the safe disposal of transuranic (TRU) radioactive waste and mixed TRU waste. TRU waste is radioactive waste that contains alpha-emitting radionuclides of atomic number greater than 92, with half lives longer than 20 years, and which are present in concentrations greater than 100 nanocuries per gram of waste.

The BECR meets the requirements of the WIPP Land Withdrawal Act (LWA) (Public Law [Pub. L.] 102-579, as amended by Pub. L. 104-201, WIPP Land Withdrawal Act Amendments of 1996. Specifically, the BECR documents DOE compliance at the WIPP Project with environmental regulations and permits issued pursuant to the following:

- Title 40 *Code of Federal Regulations* (CFR) Part 191, "Environmental Radiation Protection Standards for Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes," Subpart A, "Environmental Standards for Management and Storage"
- Clean Air Act (CAA) (42 *United States Code* [U.S.C.] §§7401, et seq.)
- Solid Waste Disposal Act (SWDA) (42 U.S.C. §§6901-6992, et seq.)
- Safe Drinking Water Act (SDWA) (42 U.S.C. §§300f, et seq.)
- Toxic Substances Control Act (TSCA) (15 U.S.C. §§2601, et seq.)
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. §§9601, et seq.)
- All other applicable federal laws pertaining to public health and safety or the environment.
- All regulations promulgated, and all permit requirements, under the laws listed above.

This BECR addresses the reporting period of April 1, 2006, through March 31, 2008, with the exception of annual radiation doses. These must be calculated for each calendar year as required by the DOE reporting requirements and this BECR includes annual radiation doses for calendar years (CYs) 2006 and 2007.

1.1 Compliance Issues for Reporting Period

During the reporting period, the DOE notified regulatory agencies of two compliance issues and the New Mexico Environment Department (NMED) issued three Notices of

Violation (NOVs) and two Compliance Orders (COs). These are summarized in the following list.

- On July 19, 2006, the NMED issued the WIPP Permittees a NOV because the Permittees failed to provide a copy of the current Resource Conservation and Recovery Act (RCRA) (42 U.S.C. §§6901, et seq.) Contingency Plan to the Secretary of the NMED as required by the Hazardous Waste Facility Permit (HWFP). In the same letter, the NMED noted that the deficiency had been adequately addressed and no further action was required (NMED, 2006a).

- In January 2007, the DOE received an administrative NOV from the NMED for failure to submit the required monthly microbiological compliance sample of the WIPP facility domestic water system for the month of December 2006 (NMED, 2007a). The DOE immediately met public notification requirements. Daily logs indicated that proper levels of water system chlorination were achieved at all times. No further actions were required.

- On January 5, 2007, the DOE notified the U.S. Environmental Protection Agency (EPA) by phone of three instances where Certificates of Disposal for waste containing polychlorinated biphenyls (PCBs) disposed of at WIPP were not sent back to the generator within 30 days. The certificates were prepared and submitted for the three shipments on the same date with written notification to the EPA following on January 12, 2007 (DOE, 2007a).

- In November 2007, the DOE notified the NMED of an event where approximately 150 gallons of brine water containing lead in excess of 5.0 mg/l were inadvertently disposed of in the H-19 Evaporation Pond (DOE, 2007b). This situation was self-discovered, work was stopped immediately, and the issue was documented through the WIPP issues management process. A formal root cause analysis was completed and resulting corrective actions are in progress. Completing these corrective actions is a primary focus for the Environmental Management System (EMS) in 2008.

- On November 26, 2007, the NMED issued an NOV to the WIPP Permittees, alleging deficiencies within the WIPP groundwater monitoring program (NMED, 2007b). The Permittees contested the NOV as unwarranted and requested that the NMED rescind the NOV. A schedule for program improvements was established based on results of an in-depth departmental environmental compliance assessment and a separate Quality Assurance (QA) Department audit of the groundwater monitoring program which were completed following receipt of the NOV. Completing improvements in this area is a primary area of EMS focus in 2008.

- On November 26, 2007, the NMED issued CO HWB 07-42 to the WIPP Permittees, alleging that in June 2007 the DOE emplaced a 55-gallon drum

of contact-handled (CH) TRU waste with liquids in excess of waste acceptance limits established in the HWFP. This issue was self-discovered and promptly reported to the NMED (NMED, 2007c). The DOE immediately stopped any further waste emplacement and shipments. In addition, the drum was removed and returned to Idaho National Laboratory (INL) in mid-August. The formal root cause analysis indicated that no further action was applicable to the WIPP facility. A Stipulated Final CO settling this issue was signed on March 26, 2008, and resulted in a $110,700 civil penalty.

- On November 26, 2007, the NMED issued CO HWB 07-43 to the WIPP Permittees, alleging that the Permittees emplaced 121 containers of sludge waste shipped between August 2005 and February 2006 that were characterized with an inadequate characterization method (NMED, 2007d). The Permittees asserted that permit requirements were not violated. The Permittees provided a report to the NMED demonstrating that the containers do not pose an elevated risk to human health and the environment. A Stipulated Final CO settlement was entered into on February 8, 2008, and resulted in a $110,000 civil penalty.

1.2 Compliance Management at the WIPP Facility

The DOE and its management and operating contractor (MOC) are fully committed to conducting operations at the WIPP facility in compliance with applicable regulations and permit conditions and to protect public health and the environment.

Maintaining compliance with environmental regulations is accomplished through implementation of the WIPP EMS. The WIPP EMS is based on the Plan, Do, Check, Act cycle. Compliance management is incorporated throughout the activities associated with each of the phases of this cycle.

Key examples are incorporating compliance into daily work activities through implementation of WIPP Project programs, plans and procedures including a rigorous Conduct of Operations program; maintaining knowledgeable and trained employees; communicating clear expectations regarding compliance; measuring and monitoring of environmental parameters on an ongoing basis; and employing a rigorous process for compliance assessment.

The Check phase of the EMS employs ongoing checks of compliance and protection of public health and the environment through implementation of the WIPP environmental monitoring plan and the DOE's integrated evaluation program. The WIPP Environmental Monitoring Plan (DOE/WIPP-99-2194) (DOE, 2008a) directs the programs for monitoring radiological and nonradiological effects and land management. The Integrated Evaluation Plan includes assessments, surveillances, and audits of the WIPP Project compliance status performed under both DOE and MOC QA programs and the MOC's environmental compliance assessment program. The plan provides a comprehensive system to assess project compliance with applicable environmental

laws, regulations and procedural requirements and determine the adequacy, implementation, and effectiveness of WIPP Project compliance programs.

Evaluation activities conducted through the DOE's Integrated Evaluation Plan include:

- Monitoring work in progress
- Documenting compliance or noncompliance with established requirements and procedures
- Identifying actual and potential conditions adverse to quality
- Obtaining timely corrective action commitments from cognizant managers
- Providing notification to responsible managers of the status and performance of work under assessment
- Verifying timely implementation of corrective actions

1.3 Background of the Waste Isolation Pilot Plant Project

The WIPP Project was authorized by the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Pub. L. 96-164; 93 Stat. 1259, 1265). This legislation mandated that the DOE provide a research and development facility to demonstrate the safe disposal of radioactive waste resulting from U.S. defense activities and programs.

In January 1981, the DOE announced its decision to proceed with phased development of the WIPP facility, located in Eddy County in southeastern New Mexico, 26 miles east of the city of Carlsbad. The decision called for the facility to be built to accommodate 6.2 million cubic feet of CH TRU waste and 0.25 million cubic feet of remote-handled (RH) TRU waste. The LWA subsequently limited the total WIPP capacity to 6.2 million cubic feet of TRU waste.

After completing a site and preliminary design validation phase, the construction phase at the WIPP site began in 1983. At present, surface and underground facilities to support waste handling and disposal operations have been constructed. The largest surface building is the Waste Handling Building (WHB), which includes areas for the receipt, inspection, storage, and transfer of waste to the underground. The WIPP underground facility, which is 2,150 feet below the land surface in a 2,000-foot-thick bedded salt formation, consists of four shafts, the waste disposal area, an equipment and maintenance facility, and connecting tunnels.

Originally, the construction phase was to be followed by the pilot plant phase. Following the preparation of the *Final Supplement Environmental Impact Statement for the Waste Isolation Pilot Plant* (SEIS-I) (DOE/EIS-0026-FS) (DOE, 1990a) in 1990, the DOE decided that the construction phase was to be followed by a test phase, during which

tests with TRU waste were to be conducted underground at the WIPP facility. On October 21, 1993, the DOE announced its decision not to conduct TRU waste tests underground at the WIPP facility, but rather to conduct enhanced laboratory tests.

The *Waste Isolation Pilot Plant Disposal Phase Final Supplemental Environmental Impact Statement* (SEIS-II) (DOE/EIS-0026-S-2) (DOE, 1997a) was issued in September 1997. The SEIS-II analyzed the environmental impacts of disposal phase operations of the WIPP facility in light of additional information and circumstances changed since 1990, and also assessed alternatives for disposing of TRU waste at WIPP.

The Record of Decision (ROD) for the SEIS-II (*Record of Decision for the Department of Energy's Waste Isolation Pilot Plant Disposal Phase*, 63 *Federal Register* [Fed. Reg.] 3623-3629) was issued January 23, 1998 (DOE, 1998). The selected alternative from the SEIS-II analysis was to dispose of defense-related TRU waste meeting the requirements in the WIPP waste acceptance criteria (WAC), and to transport waste to WIPP by truck with a future option of transportation by rail.

The receipt and disposal of the first TRU waste shipment in March 1999 initiated the disposal phase which continues through this report period. Panel 1 was used for disposal of TRU waste until March 2003, Panel 2 was used until October 2005, and Panel 3 until February 2007. Construction of explosion isolation barriers was completed for Panel 1 in September 2003, and for Panel 2 in April 2006. The substantial and isolation barriers for Panel 3 were completed in August 2007. TRU waste began to be emplaced in Panel 4 in January 2007. At the conclusion of this reporting period, waste continues to be disposed of in Panel 4.

The disposal phase will be followed by closure, which includes the decontamination and decommissioning phase for all support structures.

1.4 Organization of the Report

Sections in this BECR correspond to federal or state laws, or in the absence of a law, regulatory programs, that are relevant to the WIPP facility. Federal laws are addressed first, followed by New Mexico state laws. Each section summarizes the law, its implementing regulations and applicability to the WIPP Project. Where there are specific requirements established in a permit granted relative to the law, permit requirements are summarized. This is followed by a summary of the DOE's compliance status related to the requirements. Requirements are noted in italicized text in the second subsection of each section. The italicized text may be a direct quote from the regulation cited or in cases where the requirements are lengthy, a summary.

Local laws or ordinances that apply to the WIPP Project are limited to those under the authority of the Eddy County Commission, Eddy County, New Mexico. County ordinances are not environmental in scope and are not included in the report.

Laws, regulations, or titles that will be referenced multiple times throughout the document will be listed in full on their first reference with the acronym relative to the reference included in parenthesis. Subsequent references will use only the acronym. For example, "Clean Air Act" will be shown at first reference with subsequent references using the acronym CAA. A complete list of acronyms used within the report is provided after the Table of Contents and immediately prior to this section (Section 1.0).

2.0 RESOURCE CONSERVATION AND RECOVERY ACT AND SOLID WASTE DISPOSAL ACT

2.1 Summary of the Law

The RCRA, enacted in 1976, is a statute designed to provide "cradle-to-grave" control of hazardous waste by imposing management requirements on generators and transporters of hazardous wastes and on the owners and operators of treatment, storage, and disposal facilities (TSDFs).

In 1965, Congress enacted the SWDA (42 U.S.C. §§3251, et seq.). This act dealt with solid waste disposal and gave the states the responsibility for developing solid waste management plans. In 1970, Congress passed the RCRA to provide the EPA with funding for resource recovery programs. The RCRA amended the SWDA and incorporated the intent of the Resource Recovery Act of 1970. A number of minor amendments were added during the next few years. The Hazardous and Solid Waste Amendments of 1984 (HSWA) (42 U.S.C. §6924[b][4]) reauthorized RCRA, expanded its scope significantly, and altered many of its provisions. The Medical Waste Tracking Act of 1988 (Pub. L.100-582) added medical waste tracking provisions to RCRA in Subtitle J. The Federal Facilities Compliance Act of 1992 (Pub. L. 102-386) amended the RCRA subjecting federal agencies to all substantive and procedural requirements of federal, state, and local solid and hazardous waste laws. The term "RCRA" will be used throughout this document to refer to the reauthorized law as amended.

There are two major objectives of the RCRA. The first is to promote the protection of human health and the environment and to conserve material and energy resources. This objective is to be accomplished through such means as ensuring that hazardous waste management practices are conducted so as to protect human health and the environment, minimize the generation of hazardous waste, prohibit open dumping on the land, and require existing open dumps to be converted to facilities that pose no danger to the environment or human health. The second RCRA objective is to set national policy to reduce or eliminate the generation of hazardous waste as expeditiously as possible and to ensure that any hazardous waste generated be treated, stored, or disposed of so as to minimize the present and future threat to human health and the environment.

The EPA implements RCRA primarily through 40 CFR Parts 260 through 282:
40 CFR Parts 260 through 279 consist of requirements and standards pertaining to hazardous waste generation, management and disposal, including hazardous waste

underground storage tanks (USTs); and 40 CFR Parts 280 through 282 pertain to the management of USTs containing petroleum products or hazardous chemicals.

Congress intended for the RCRA program to be implemented by the states. Consequently, the EPA has defined a process through which states may apply for and receive authorization to administer the RCRA program. New Mexico received authorization for the base RCRA program in January 1985 and for its mixed waste program in July 1990. The EPA granted authorization for the corrective action component of the HSWA program to the state of New Mexico in a notice that appeared in the *Federal Register* on October 17, 1995 (effective date: January 2, 1996). The New Mexico Hazardous Waste Act (HWA) (74-4-1 through 74-4-14 New Mexico Statutes Annotated [NMSA] 1978) is the state statute that governs hazardous waste management activities in New Mexico. New Mexico implements its hazardous waste program through 20.4.1 New Mexico Administrative Code (NMAC) through 20.4.3 NMAC. By virtue of this authorization, New Mexico has primary responsibility for permitting, implementation, and enforcement of most aspects of the RCRA program. The DOE has received an HWFP from the NMED (NMED, 1999). The state RCRA-related requirements are discussed in Section 25.0.

The HSWA also provides for regulations to be promulgated by the EPA that become effective and enforceable immediately by the EPA in states authorized to administer the RCRA regulations until such time as the state subsequently adopts and is authorized to administer the new regulation. The WIPP site has a process in place to monitor for new and amended federal and state regulations. There have been no new or changed regulations authorized under the HSWA that are in this category.

Subchapter IX of the RCRA governs the management of USTs. This portion of the RCRA and the regulations specified under 40 CFR Parts 280 and 281 (20.5 NMAC) address USTs containing petroleum products or hazardous chemicals. Requirements for UST management pertain to their design, construction, installation, and operation as well as notification and corrective action requirements in the event of a release and actions required for out-of-service USTs.

New Mexico has been authorized by the EPA to regulate USTs. The state UST requirements and the compliance status for each requirement are presented in Section 25.0.

Congress has specifically addressed the applicability of RCRA to the WIPP Project on five separate occasions. In 1984, as part of the HSWA, Congress excluded WIPP from a provision that prohibited disposal of some hazardous waste in salt beds. In 1996, Congress amended the LWA and exempted waste designated by the Secretary of Energy for disposal at WIPP from the land disposal restrictions (LDRs). In response to the inclusion of the RCRA Financial Assurance Requirements in the October 1999 WIPP Permit by the NMED, Section 201 of the Military Construction and Appropriations Act of 2001 (Pub. L. 106-246) prohibited the use of federal monies to post a bond fulfilling the financial assurance requirements relating to closure or post-closure care and monitoring of WIPP. The provision further stated that any financial responsibility

requirement in a permit or license for WIPP on the date of enactment of Section 201 may not be enforced against the United States or its contractors or subcontractors at WIPP. In 2003 and 2004, respectively, Congress clarified the applicability of RCRA to general waste analysis requirements for waste disposed of at WIPP in the following:

- Section 311 of the Energy and Water Development Appropriations Act, 2004 (Pub. 108-137), which was enacted on December 1, 2003

- Section 310 of the Consolidated Appropriations Act for 2005, (Pub. L. 108-447), which was enacted on December 8, 2004

2.2 Status of Compliance With the Regulatory Requirements

This section provides general information on RCRA requirements and the EPA's regulations implementing those requirements.

2.2.1 Compliance With the Resource Conservation and Recovery Act

Most of the requirements specified in RCRA are covered in more detail in the implementing regulations. The exception is RCRA §3016 (42 U.S.C. §§6937, et seq.), which requires each federal agency to provide a biennial inventory of each TSDF, as follows:

> *Each federal agency shall compile, publish, and submit to the EPA Administrator (and the state, if its hazardous waste program has been authorized by the EPA) an inventory of each site which the agency owns or operates at which hazardous waste is stored, treated, or disposed of at any time. The inventory shall be submitted every two years beginning January 31, 1986.*

The EPA continues to work on a new electronic format for the RCRA §3016 report as noted in the 2006 BECR. As of the end of this reporting period, the software had not been released. A notification of the submittal date for this report will be issued upon release of the reporting software. The RCRA §3016 report for WIPP will be prepared within the requested time frame once the "software released" notification is received.

2.2.2 Compliance With the Land Disposal Restrictions, 20.4.1.800 NMAC (40 CFR Part 268)

The LWA, as amended, exempts waste designated by the Secretary of Energy for disposal at WIPP from the treatment standards of RCRA. By virtue of this exclusion, the DOE is not required to demonstrate compliance with the LDRs of 40 CFR Part 268 for transuranic mixed waste designated by the Secretary of Energy for disposal at WIPP.

For on-site generated waste, LDR notifications have been made in accordance with requirements.

3.0 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

3.1 Summary of the Law

The CERCLA, or "Superfund," and the Superfund Amendments and Reauthorization Act of 1986 (SARA) establish a comprehensive federal strategy for responding to, and establishing liability for, releases of hazardous substances from a facility to the environment. Because WIPP is not a CERCLA remediation site and is not expected to become one, most of the requirements of this act do not apply. The Emergency Planning and Community Right-to-Know Act (EPCRA) (40 CFR Parts 350 through 399) was enacted as a stand-alone portion under SARA, Title III. It is described in further detail in Section 4.0.

Any spills of reportable quantities (RQs) of hazardous substances must be reported to the National Response Center under the provisions of 42 U.S.C. §9603, "Notification Requirements Respecting Released Substances," and the implementing regulations in 40 CFR Part 302, "Designation, Reportable Quantities, and Notification." The MOC is responsible for reporting and managing any release of hazardous substances at WIPP as defined in 42 U.S.C. §9601, "Definitions," in quantities equal to or greater than the RQs outlined in 42 U.S.C. §9602, "Designation of Additional Hazardous Substances and Establishment of Reportable Released Quantities; Regulations," and specified in 40 CFR Part 302. In the event of a release of a hazardous substance to the environment in an amount that meets or exceeds the RQ for that substance, a notification of the releases as defined in 40 CFR §302.3, will be made to the National Response Center and other appropriate agencies by MOC personnel as required by 42 U.S.C. §9603. Title 42 U.S.C. §9620(c), "Federal Agency Hazardous Waste Compliance Docket," establishes a docket that provides information regarding federal facilities that manage hazardous waste or from which hazardous substances may be or have been released. This information is to be submitted to the EPA by federal agencies under 42 U.S.C. §9603 or under §§3005, 3010, or 3016 of the RCRA. Facilities listed under the docket must prepare a Preliminary Assessment and submit it to the EPA in accordance with CERCLA.

Under 40 CFR Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan," the organizational structures and procedures are provided for preparing for and responding to discharges of oil and releases of hazardous substances, pollutants, and contaminants. The National Oil and Hazardous Substances Pollution Contingency Plan is required by Part 105 of the CERCLA, as well as the Clean Water Act (33 U.S.C. §1321(d), as amended by the Oil Pollution Act of 1990 (Pub. L. 101-380).

3.2 Status of Compliance With the Regulatory Requirements

3.2.1 Designation of Hazardous Substances, 40 CFR §302.4

> *The elements and compounds and hazardous wastes appearing in Table 302.4 are designated as hazardous substances under Section 102(a) of the Act. A solid waste, as defined in 40 CFR §261.2, which is not excluded from regulation as a hazardous waste under 40 CFR §261.4(b), is a hazardous substance … if it exhibits any of the characteristics identified in 40 CFR §§261.20 through 261.24.*

Listed and characteristic hazardous wastes generated at the WIPP site have been identified. A waste stream profile is maintained for each identified site-generated waste stream.

The WIPP waste information system contains the listed and characteristic hazardous waste numbers, and radionuclides for waste received from off-site generators for disposal at WIPP.

For materials and substances other than wastes, WIPP maintains a system containing material safety data sheets (MSDSs). The MSDSs contain information necessary to identify any elements or compounds included in Table 302.4.

3.2.2 Determination of Reportable Quantities, 40 CFR §302.5

> *The quantity listed in the column "Final RQ" for each substance in Table 302.4 or in Appendix B to Table 302.4 is the RQ for that substance.*

Reportable quantities listed in Table 302.4 and Appendix B to 40 CFR §302.4 are used to determine if releases of pure materials or hazardous substances in mixtures are reportable.

3.2.3 Notification Requirements, 40 CFR §302.6(a)

> *Any person in charge of a vessel or an offshore or an onshore facility shall, as soon as he or she has knowledge of any release … of a hazardous substance … in a quantity equal to or exceeding the reportable quantity … in any 24-hour period, immediately notify the National Response Center (800) 424-8802 …*

There were no releases of hazardous substances that exceeded an RQ at WIPP during this reporting period.

3.2.4 Releases of Mixtures or Solutions, 40 CFR §302.6(b)(1)(i) and (ii)

If the quantity of the hazardous constituent(s) of the mixture or solution is known, notification is required where an RQ or more of any hazardous constituent is released;
If the quantity of one or more of the hazardous constituents of the mixture or solution is unknown, notification is required where the total amount of the mixture or solution released equals or exceeds the RQ for the hazardous constituent with the lowest RQ;

The reportable releases of hazardous constituents in mixtures are determined and reported as required in 40 CFR §§302.5 and 302.6(a). During this reporting period, there were no releases of mixtures or solutions that exceeded the RQs of any hazardous constituents.

3.2.5 Notification of Releases of Radionuclides, 40 CFR §302.6(b)(2)

Radionuclides are subject to this section's notification requirements only in the following circumstances:

- *If the identity and quantity (in curies) of each radionuclide in a released mixture or solution is known, the ratio between the quantity released (in curies) and the RQ for the radionuclide must be determined for each radionuclide. The only such releases subject to this section's notification requirements are those in which the sum of the ratios for the radionuclides in the mixture or solution released is equal to or greater than one.*

- *If the identity of each radionuclide in a released mixture or solution is known but the quantity released (in curies) of one or more of the radionuclides is unknown, the only such releases subject to this section's notification requirements are those in which the total quantity (in curies) of the mixture or solution released is equal to or greater than the lowest RQ of any individual radionuclide in the mixture or solution.*

- *If the identity of one or more radionuclides in a released mixture or solution is unknown (or if the identity of a radionuclide released by itself is unknown), the only such releases subject to this section's notification requirements are those in which the total quantity (in curies) released is equal to or greater than either one curie or the lowest RQ of any known individual radionuclide in the mixture or solution, whichever is lower.*

There have been no releases of radionuclides in excess of an RQ at the WIPP facility.

3.2.6 Notification of the Release of Heavy Metals, 40 CFR §302.6(d)

Except for releases of radionuclides, notification of the release of an RQ of solid particles of antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, or zinc is not required if the mean diameter of the particles released is larger than 100 micrometers.

There were no releases of an RQ of solid particles of heavy metals from the WIPP facility during this reporting period.

4.0 EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

4.1 Summary of the Law

Title III of the SARA, otherwise known as the EPCRA (42 U.S.C. §§11001, et seq.), authorizes a nationwide program of emergency planning as protection against accidents involving hazardous chemicals and extremely hazardous substances. The act requires a comprehensive body of information about hazardous substances to be submitted to various state and local groups. Under Subtitle A, "Emergency Planning and Notification," facilities are required to make various notifications to the State Emergency Response Commission (SERC) and the Local Emergency Planning Committee (LEPC). These include notification of applicability under EPCRA, designation of a facility Emergency Coordinator, and notification of extremely hazardous substance releases to the environment. Subtitle B, "Reporting Requirements," requires the submittal of information such as inventories of specific hazardous chemicals used or stored within a facility to the SERC, LEPC, and the fire department that has jurisdiction over the facility. Within Subtitle B, the following sections outline specific reporting requirements: (1) Section 311, "Material Safety Data Sheets," directs the submission of an MSDS for each hazardous chemical present or a list of hazardous chemicals present that require an MSDS; (2) Section 312, "Emergency and Hazardous Chemical Inventory Forms," directs the annual submission of an inventory of hazardous chemicals present during the preceding year; and (3) Section 313, "Toxic Chemical Release Forms," outlines requirements for facilities to submit a toxic chemical release report to the EPA and the resident state if toxic chemicals are used at that facility in excess of established threshold amounts.

The regulations under 40 CFR Part 355, "Emergency Planning and Notification," established the list of extremely hazardous substances, the threshold planning quantities (TPQs), and facility notification responsibilities necessary for the development and implementation of state and local emergency response plans.

The regulations of 40 CFR Part 370, "Hazardous Chemical Reporting: Community Right-to-Know," established reporting requirements that provide the public with vital information on the hazardous chemicals in their communities, with the intent of ensuring enhanced community awareness of chemical hazards and facilitating the development of state and local emergency response plans.

In order to inform the public and surrounding communities of releases of toxic chemicals, 40 CFR Part 372, "Toxic Chemical Release Reporting: Community Right-to-Know," established requirements for the submission of information relating to the release of toxic chemicals under Section 313. Effective February 16, 2001, the EPA lowered the reporting threshold for lead and lead compounds to 100 pounds. Lead contained in stainless steel, brass, and bronze alloys is excluded from this reporting threshold. The lowered threshold applied to the CY 2001 and later reporting.

WIPP exceeded reporting thresholds for cadmium and lead during CY 2003 based on the chemicals of special concern listed in 40 CFR §372.28; therefore, WIPP was required to file its first EPA Form R (EPA Form 9350-1) in June 2004 (Washington TRU Solutions LLC [WTS] 2004).

4.2 Status of Compliance With the Regulatory Requirements

4.2.1 Emergency Planning, 40 CFR §355.30(a)

> *The requirements of this section apply to any facility at which there is present an amount of any extremely hazardous substance [as defined in 40 CFR Part 355] equal to or in excess of its TPQ…*

The WIPP facility is subject to the emergency planning requirements due to the use of sulfuric acid in lead acid batteries. Lead acid batteries are used in the underground and the surface in electric carts, electric forklifts, other vehicles, and the Uninterruptible Power Supply System. Small amounts of sulfuric acid are used in sample preservation.

4.2.2 Emergency Planning Notification, 40 CFR §355.30(b)

> *The owner or operator of a facility subject to this section shall provide notification to the Commission that it is a facility subject to the emergency planning requirements of this part.*

In 1987, the DOE made the one-time notification to the SERC that the WIPP facility is subject to emergency planning requirements.

4.2.3 Facility Emergency Coordinator, 40 CFR §355.30(c)

> *The facility shall designate a facility representative who will participate in the local emergency planning process as a facility emergency response coordinator.*

Both the DOE Carlsbad Field Office (CBFO) and the MOC have WIPP representatives on the LEPC, which began in 1994. The LEPC meets once a month. The MOC is responsible for WIPP's emergency response and preparedness programs at the WIPP facility.

4.2.4 Provision of Information, 40 CFR §355.30(d)

The owner or operator of a facility will inform the LEPC of any changes occurring at the facility that may be relevant to emergency planning.

The DOE, or its MOC, provides information to the LEPC regarding changes at the facility which may be relevant to emergency planning. There were no changes at the facility during this reporting period that required reporting.

4.2.5 Emergency Release Notification, 40 CFR §355.40(b)

The owner or operator of a facility shall immediately notify the community emergency coordinator for the LEPC of any area that is likely to be affected by the release and the SERC of any state likely to be affected by the release.

There were no releases from WIPP that required notification to the SERC or to the LEPC during this reporting period.

4.2.6 Material Safety Data Sheet Reporting, 40 CFR §370.21

The owner or operator of a facility shall submit an MSDS for each hazardous chemical present at the facility according to the minimum threshold schedule to the committee, the commission, and the fire department with jurisdiction over the facility. In lieu of the submission of an MSDS, the owner or operator may submit a list of hazardous chemicals for which an MSDS is required.

The list of hazardous chemicals is updated when new chemicals in excess of the TPQ, or 10,000 pounds, or additional hazard information for existing chemicals are received at WIPP. The MOC submitted the last updated list of hazardous chemicals which are present at the WIPP facility in amounts that exceed the TPQs on August 23, 1999 (Westinghouse Electric Corporation, Waste Isolation Division, 1999). This list also included the common name of the chemical and the hazardous components. There were no changes during this reporting period that required updating the list of hazardous chemicals.

4.2.7 Inventory Reporting, 40 CFR §370.25

The owner or operator of a facility … shall submit an inventory form to the commission, the committee, and the fire department with jurisdiction over the facility. The inventory form containing Tier I information on hazardous chemicals present at the facility during the preceding calendar year … shall be submitted on or before March 1 of each year.

The DOE submitted the latest (CY 2007) Tier II Emergency and Hazardous Chemical Inventory Report to the SERC, the LEPC, and the fire departments that maintain memoranda of understanding (MOUs) with the DOE regarding the WIPP facility on February 21, 2008 (DOE, 2008b). The report for CY 2006 was submitted in February 2007 (DOE, 2007c).

4.2.8 Reporting Requirements and Schedule for Reporting, 40 CFR §372.30

> *For each toxic chemical known by the owner or operator to be manufactured, processed, or otherwise used in excess of an applicable threshold quantity at its covered facility for a calendar year, the owner or operator must submit to the EPA and to the state a completed EPA Form R. The Form R must be submitted by July 1 of the following calendar year.*

The MOC and the DOE each submitted a Toxic Chemical Release Inventory Form R Report for the WIPP facility to the EPA and the NMED. The reports for CY 2005 were submitted in June 2006. The reports for CY 2006 were submitted on June 28, 2007.

5.0 ATOMIC ENERGY ACT AND THE ENVIRONMENTAL PROTECTION AGENCY

5.1 Summary of the Law

The Atomic Energy Act (AEA) of 1954, as amended (42 U.S.C. §§2011, et seq.), initiated a national program for research, development, and use of atomic energy for both national defense and domestic civilian purposes.

The authority of the EPA to establish generally applicable standards for the protection of the public and the environment from radiation is derived from the AEA, as amended; Reorganization Plan No. 3 of 1970; and the Nuclear Waste Policy Act (NWPA) of 1982, as amended (Pub. L. 97-425), and the LWA. The protection standards found in 40 CFR Part 191, "Environmental Radiation Protection Standards for Management and Disposal of Spent Nuclear Fuel, High-Level, and Transuranic Radioactive Wastes," apply to both spent nuclear fuel and high-level radioactive waste as defined by the NWPA, and to TRU waste, which contains more than 100 nanocuries per gram of waste of alpha-emitting TRU isotopes with half-lives greater than 20 years. The standards of 40 CFR Part 191 consist of three subparts: Subpart A, "Environmental Standards for Management and Storage"; Subpart B, "Environmental Standards for Disposal"; and Subpart C, "Environmental Standards for Groundwater Protection."

Subpart A, "Environmental Standards for Management and Storage," sets the operational requirements limiting annual doses to members of the public from management and storage operations at disposal facilities operated by the DOE and not regulated by either the U.S. Nuclear Regulatory Commission (NRC) or by agreement states. The annual dose equivalent, from all sources, to any member of the public in

the general environment may not exceed 25 millirem (mrem) to the whole body and 75 mrem to any critical organ.

The EPA audits the DOE's compliance with Subpart A of 40 CFR Part 191. Since these standards were promulgated by the EPA, they are discussed in this section rather than in Section 13.0. Because Subpart A only contains environmental performance standards, implementation details are left to the responsible agency. The EPA issued guidance for implementation of Subpart A, which includes methods for dose calculation, modeling, and reporting. In June of 2001, the DOE issued Revision 2 of the *Implementation Plan for 40 CFR Part 191, Subpart A* (DOE/WIPP 00-3121) (DOE, 2001), which continues to implement the EPA's guidance and outlines the 40 CFR Part 191, Subpart A, compliance program.

The LWA, as amended by Pub. L.104-201, requires the EPA to establish criteria to certify the DOE's compliance with the radioactive waste disposal standards of 40 CFR Part 191, Subparts B and C. In addition, the act requires that EPA must conduct recertification of continued compliance beginning five years after the initial receipt of TRU waste for disposal and at five year intervals thereafter until the end of the decommissioning phase. The EPA issued these criteria at 40 CFR Part 194, "Criteria for the Certification and Recertification of the Waste Isolation Pilot Plant's Compliance with the 40 CFR Part 191 Disposal Regulations," on February 9, 1996 (EPA, 1996). The EPA has certification authority for Subparts B and C of 40 CFR Part 191.

5.2 Status of Compliance With the Regulatory Requirements

The compliance status of applicable requirements is summarized in the text.

5.2.1 Environmental Radiation Protection Standards, 40 CFR Part 191

The standards of 40 CFR Part 191 applied to WIPP as of March 26, 1999, when the first shipment of CH TRU waste was received and emplaced for permanent disposal.

5.2.1.1 Standards, 40 CFR §191.03(b) (Subpart A)

> *The combined annual dose equivalent to any member of the public in the general environment shall not exceed 25 mrem to the whole body and 75 mrem to any critical organ.*

The results of the WIPP Effluent Monitoring Program have shown no releases of radionuclides that may adversely affect the public, thereby demonstrating compliance with the 40 CFR §191.03 standards. In this program, the DOE emphasizes doses from releases through the air pathway. Air emissions are the only plausible pathway for radionuclide transport during receipt and emplacement of waste at WIPP, either through the underground exhaust shaft exit or the ventilation system of the WHB. The DOE has demonstrated compliance with the radiation dose limits of Subpart A by conducting periodic effluent sampling since receipt of the CH TRU and RH TRU waste shipments to WIPP.

The WIPP facility effluent monitoring results for CY 2006 and CY 2007 can be found in Appendix A to this report. The CAP88 [Clean Air Act Assessment Package-1988]-PC computer modeling program was used to calculate radiation doses to demonstrate DOE compliance with the Subpart A standard. The model output specifies the effective dose equivalent (EDE) to which the public may be subjected to, by normal operation of the facility during the reporting periods.

For CY 2006, the EDE from normal operations at the WIPP DOE Exclusive Use Area located 350 meters from the point of release (exhaust shaft and WHB ventilation system) was less than 8.16E-05 mrem per year to the whole body, and 1.30E-03 mrem per year to the critical organ. In addition, for CY 2006, the EDE from normal operations to the maximally exposed individual beyond the WIPP Land Withdrawal Area located 7,500 meters from the point of release was less than 4.43E-06 mrem per year to the whole body, and less than 7.06E-05 mrem per year to the critical organ.

For CY 2007, the EDE at the WIPP DOE Exclusive Use Area located 350 meters from the point of release was less than 1.52E-04 mrem per year to the whole body, and 1.46E-03 mrem per year to the critical organ. Also, for CY 2007, the EDE from normal operations to the maximally exposed individual beyond the WIPP Land Withdrawal Area located 7,500 meters from the point of release was less than 7.81E-06 mrem per year to the whole body, and less than 7.56E-05 mrem per year to the critical organ.

Since the air pathway is the only release pathway, these cases represent the radiation doses to "any member of the public," and to the "maximally exposed individual." These results, from both years, are well below the 25 mrem per year limit to the whole body, and the 75 mrem per year limit to any critical organ as required by 40 CFR §191.03, Subpart A.

5.2.1.2 Containment Requirements, 40 CFR §191.13 (Subpart B)

> *The disposal systems for spent nuclear fuel or high-level or TRU radioactive waste shall be designed to provide a reasonable expectation that the cumulative releases to the accessible environment for 10,000 years shall have a likelihood of less than one chance in ten of exceeding the quantities calculated according to Table I (Appendix A) and less than one chance in 1,000 of exceeding ten times the quantities calculated in accordance with Table I.*

These requirements were addressed in DOE/WIPP-96-2184, *40 CFR Part 191 Compliance Certification Application for the Waste Isolation Pilot Plant* (CCA) (DOE, 1996a) submitted to the EPA in 1996. The EPA certified the DOE compliance in 1998. The DOE addressed these requirements again in DOE/WIPP-04-2131, *Title 40 CFR Part 191 Subparts B and C Compliance Recertification Application* (CRA) (DOE, 2004a), which was submitted to the EPA on March 24, 2004. On March 29, 2006, the EPA recertified DOE compliance. See Subsection 5.2.2 for further information regarding the CCA and CRA.

5.2.1.3 Individual Protection Requirements, 40 CFR §191.15 (Subpart B)

> *Disposal systems for waste and any associated radioactive material shall be designed to provide a reasonable expectation that, for 10,000 years after disposal, undisturbed performance of the disposal system shall not cause the annual committed effective dose (calculated in accordance with Appendix B of this Part) to exceed 15 mrem.*

These requirements were addressed in the CCA (DOE, 1996a). The EPA certified the DOE's compliance in 1998. The DOE addressed these requirements again in its CRA submitted to the EPA on March 24, 2004 (DOE, 2004a). On March 29, 2006, the EPA recertified DOE compliance. See Subsection 5.2.2 for further information regarding the CCA and CRA.

5.2.1.4 Groundwater Protection Standards, 40 CFR §191.24 (Subpart C)

> *Disposal systems for waste and any associated radioactive material shall be designed to provide a reasonable expectation that, for 10,000 years after disposal, undisturbed performance of the disposal system shall not cause levels of radioactivity in any underground source of drinking water, in the accessible environment, to exceed the limits specified in 40 CFR Part 141 as they exist on January 19, 1994*.

These requirements were addressed in the CCA (DOE, 1996a). The EPA certified the DOE's compliance in 1998. The DOE addressed these requirements again in its CRA submitted to the EPA on March 24, 2004. On March 29, 2006, the EPA recertified DOE compliance. See Subsection 5.2.2 for further information regarding the CCA and CRA.

5.2.2 WIPP Compliance Certification Criteria, 40 CFR Part 194

As specified in Section 8(d)(1) of the LWA the DOE submitted the CCA (DOE, 1996a) to the EPA on October 29, 1996. The CCA included facility information, regional descriptive information, summaries of more than twenty years of scientific studies, details of the long-term repository performance assessments, and descriptions of programs in place to monitor the performance of the WIPP repository. The EPA evaluated the CCA and, on May 18, 1998, issued a rule-making (63 Fed. Reg. 27354 through 27406), certifying that the DOE met the radioactive waste disposal standards and was in compliance with 40 CFR Part 191, Subparts B and C (EPA, 1998).

Since certification of the WIPP facility, The DOE has maintained continuing compliance with the EPA disposal regulations. The activities that must be performed to maintain compliance include:

- Routine activities
- Nonroutine activities
- Recertification activities

Activities that occur on a regular basis are considered routine. Routine activities required by the EPA certification include monitoring and reporting changes to the Certification.

Monitoring is conducted to comply with the requirements of 40 CFR §191.14(b) in accordance with the criteria of 40 CFR §194.42. Monitoring provides the data that may indicate that the disposal system is deviating adversely from expected performance. The monitoring parameters are:

- Waste activity
- Culebra groundwater composition
- Change in Culebra groundwater flow
- Drilling rate in the Delaware Basin
- Probability of encountering a Castile brine reservoir in the Delaware Basin
- Creep closure and stresses
- Extent of brittle deformation
- Initiation of brittle deformation
- Displacement of deformation features
- Subsidence in the vicinity of the repository

The organizations responsible for monitoring and the frequency for conducting the monitoring and reporting results are outlined in DOE/WIPP-99-3119, *Compliance Monitoring Implementation Plan for 40 CFR §191.14(b), Assurance Requirement* (DOE, 2007d).

The reporting of nonsignificant changes and updates that differ from information contained in the compliance certification is done annually, by November 18, in accordance with the criteria of 40 CFR §194.4(b)(4). This report, the "Annual Change Report," was submitted to the EPA in November 2006 (DOE/WIPP-06-3317, *Annual Change Report - 2005/2006*) (DOE, 2006a), and November 2007 (DOE/WIPP-07-3317, *Annual Change Report - 2006/2007*) (DOE, 2007e), for this reporting period.

Activities that occur randomly or only once, such as an EPA request for information, the implementation of active and passive institutional controls, decommissioning the site, or activities associated with planned or unplanned changes, are considered nonroutine.

Title 40 CFR §194.4(b)(3) requires the DOE to report any planned or unplanned changes in activities or conditions pertaining to the disposal system that differ significantly from the most recent compliance application. Changes are evaluated by

the EPA. During this reporting period, one planned change was submitted on November 15, 2007, and is awaiting evaluation. This is the shielded container planned change request, which is currently awaiting NRC approval before the EPA will complete its evaluation.

There have been no unplanned changes during this reporting period. Furthermore, the ongoing WIPP facility environmental monitoring programs have not detected any substantial and/or deleterious deviations from the expected conditions.

Recertification activities are required by Section 8(f) of the LWA, which establishes that the Secretary of Energy must submit documentation that the WIPP facility continues to comply with the disposal regulations to the Administrator of the EPA every five years after the initial receipt of TRU waste for disposal at the WIPP facility, continuing until the end of the decommissioning phase. The WIPP facility began receiving waste shipments on March 26, 1999, which started the clock on the recurring, recertification process for continued compliance. The WIPP CRA was submitted to the EPA on March 24, 2004 (DOE, 2004a). On March 29, 2006, the EPA recertified DOE compliance.

6.0 CLEAN AIR ACT

6.1 Summary of the Law

The CAA, as amended, establishes a national regulatory strategy and program to protect and enhance air quality in the United States. The CAA includes a number of standards, requirements, and permit programs to protect the quality of air in attainment areas (areas in which air quality meets the appropriate standards) and to improve it in nonattainment areas (areas that do not meet the national primary or secondary ambient air-quality standard for an air pollutant).

Congress enacted the Clean Air Act Amendments of 1990 (CAAA) (Pub. L. 101-549) on November 15, 1990.

6.1.1 Title I, *Air Pollution Prevention and Control*

Title I of the CAA contains requirements and standards for a number of programs that govern air pollutant emissions from stationary sources. These include the National Ambient Air Quality Standards (NAAQS), the New Source Performance Standards (NSPS), the National Emission Standards for Hazardous Air Pollutants (NESHAP), the prevention of significant deterioration (PSD) program, and requirements for nonattainment areas. Most of these programs are requirements for proposed new construction or for modifications of existing sources established in 40 CFR Part 61. The CAA also includes requirements for a program regulating specific categories of stationary sources that emit (or have the potential to emit) one or more hazardous air pollutants listed in Section 112(b) of the Act. Title 40 CFR Part 63 contains the implementing regulations for this program. WIPP does not have any stationary sources regulated under these requirements.

6.1.1.1 National Ambient Air Quality Standards, 40 CFR §§50.4 through 50.12, and 40 CFR Part 51

This program was established by Title I of the CAA (and revised by Title I of the CAAA) for the six "criteria" pollutants: sulfur dioxide, particulate matter, carbon monoxide, ozone, nitrogen dioxide, and lead. These standards establish the maximum levels of each pollutant allowed in the air within a particular area. The federal NAAQS are specified in 40 CFR §§50.4 through 50.12, and the program is implemented under 40 CFR Part 51, "Requirements for Preparation, Adoption, and Submittal of Implementation Plans." The EPA has authorized the NMED to administer the NAAQS program. The federal NAAQS were superseded by the New Mexico Ambient Air Quality Standards for the six criteria pollutants (20.2.3 NMAC). The WIPP facility does not emit criteria air pollutants in a quantity that requires permitting by the New Mexico Air Quality Regulations. A routine review process is used at WIPP to evaluate proposed actions that would increase emissions and identify potential regulatory issues such as the applicability of NAAQS.

6.1.1.2 Prevention of Significant Deterioration Program, 40 CFR §51.166

The PSD program, like many of the other programs under the CAA, is designed for proposed new construction or the modification of existing major stationary sources. It pertains to any proposed new or modified major stationary source located in an attainment area, particularly if the source could impact the air quality in a national park, wilderness area, monument, seashore, or other areas of special national or regional natural, recreational, scenic, or historic value. The WIPP facility is not categorized as a major source, as defined in 40 CFR §51.166(b)(1)(i)(a), and the PSD program does not apply. A routine review and approval process is used at the WIPP facility to evaluate proposed actions and identify potential regulatory issues such as the applicability of PSD.

6.1.1.3 New Source Performance Standards, 40 CFR Part 60

The NSPS program regulates emissions from operating facilities and specifies emission standards and test methods for analyzing the emissions. This program, which was initiated by Section 111 of the CAA and is implemented by 40 CFR Part 60, "Standards of Performance for New Stationary Sources," specifies standards of performance for air pollutant emissions from different types of facilities and equipment. Pollutants regulated under the NSPS include sulfur dioxide, nitrogen oxides, particulate matter, visible emissions (opacity), carbon monoxide, volatile organic compounds (VOCs), and lead. The WIPP facility does not have sources of air pollutants regulated under the NSPS. A routine review and approval process is used at the WIPP facility to evaluate proposed actions and identify potential regulatory issues such as the applicability of NSPS.

6.1.1.4 National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 61

Hazardous air pollutant (HAP) emissions from specific source categories are regulated under Section 112 of the CAA (Title III of the CAAA) as implemented by 40 CFR Part 61, "National Emission Standards for Hazardous Air Pollutants." Before the CAA was amended in 1990, Subpart A of NESHAP listed only eight HAPs. These pollutants are asbestos, benzene, beryllium, coke oven emissions, inorganic arsenic, mercury, radionuclides, and vinyl chloride. The CAAA (§301) added 181 HAPs, significantly increasing the HAPs regulated under Subpart A.

The WIPP facility does not emit HAPs at levels subject to regulation under NESHAP. However, pursuant to a memorandum of understanding (MOU) between the DOE and the EPA, the DOE agreed to comply with the requirements of 40 CFR Part 61, Subpart H, "National Emission Standards for Emissions of Radionuclides Other than Radon from Department of Energy Facilities." Additional information on how the DOE complies with 40 CFR Part 61, Subpart H, is incorporated into Subsection 6.2.2.

6.1.1.5 Chemical Accident Prevention Provisions, 40 CFR Part 68

Under §112(r) of the CAA, "Prevention of Accidental Releases," the owners and operators of stationary sources are to prevent the accidental release of any substance listed in the implementing regulations. The list of regulated substances for accidental release prevention under §112(r) of the CAA and the threshold quantities for these substances were finalized in 40 CFR Part 68, "Chemical Accident Prevention Provisions." In order to comply with Subpart F of 40 CFR Part 68, "Regulated Substances for Accidental Release Prevention," two sources are used to determine whether emissions from WIPP exceed the regulatory threshold level of any of the chemicals listed in the final rule. The two sources are the Air Emissions Inventory Report for WIPP and the WIPP Tier II Emergency and Hazardous Chemical Inventory Report. Of the 162 substances listed, none at the WIPP facility meet or exceed the final threshold levels. Consequently, WIPP is not currently subject to these regulations.

6.1.2 Title II, *Emission Standards for Mobile Sources*

Although most of the requirements under the CAA pertain to stationary sources, the requirements under Title II of the CAA and the CAAA pertain to mobile sources and establish standards for motor vehicles and fuel. Many of these requirements are aimed at automobile manufacturers and petroleum companies (e.g., Part A of Title II, "Motor Vehicle Emission and Fuel Standards"). Federal agency fleets are covered in §248 of the CAA. In accordance with the DOE's Alternative Fuel Transportation Program (10 CFR Part 490) and the Energy Policy Act of 1992 (Pub. L. 102-486), federal agencies that operate fleets in nonattainment areas for ozone and/or carbon monoxide are required to use clean-fuel vehicles and must use clean alternative fuels when operating in the nonattainment area. Since the plan must be adopted only by federal agencies that operate a fleet with at least twenty light-duty vehicles in a metropolitan statistical area or a consolidated metropolitan statistical area with a 1980 population of

at least 250,000 people, these regulations do not apply to Carlsbad, which is the closest population center to the WIPP facility. In addition, most of the requirements for federal agency fleets under Title II are not applicable to this facility because it is not located in a nonattainment area. Regulations (40 CFR Part 80, "Regulation of Fuels and Fuel Additives") make the purchaser/consumer of gasoline products or their agent liable for using gasoline containing lead (i.e., more than 0.05 gram of lead per gallon) or lead additives for highway use after December 31, 1995. This provision is incorporated into Subsection 6.2.3.2.

6.1.3 Title III, *General Provisions*

Title III of the CAA provides general provisions for the administration of the CAA and pertains to all titles (50 CFR Part 13). The provisions of Title III include administration, federal procurement, suits, audits, and air quality monitoring and modeling. Title III of the CAA also requires that the EPA perform a comprehensive analysis of the impact of the CAAA. This Title does not add additional programs.

6.1.4 Title IV, *Acid Deposition Control*

Title IV of both the CAA and the CAAA is aimed primarily at utilities and power plants that emit large quantities of sulfur dioxide and/or nitrogen oxides. It seeks to reduce emissions of sulfur dioxide and nitrogen oxides to decrease the acid rain problem in the United States. It is not applicable to the WIPP facility.

6.1.5 Title V, *Permits*

Most of the other permitting programs under the CAA are designed primarily for proposed new construction or the modification of existing facilities. Title V of both the CAA and the CAAA, as promulgated in 40 CFR Part 70, "State Operating Permit Programs," identifies the operating permit requirements for major stationary sources. Those facilities required by the state or by the EPA to have an operating permit will be expected to submit an operating permit application, a compliance plan, and periodic compliance reports.

The EPA promulgated final approval of the state of New Mexico operating permit program and it became effective on January 27, 1997. The state's program was established as "Operating Permits" and "Operating Permit Emission Fees" in 20.2.70 NMAC and 20.2.71 NMAC, respectively. The operating permit program is discussed in Section 28.0.

The federal program (40 CFR Part 70) regulates and requires permits for both area and major sources. Major-source emission thresholds are used to determine which facilities require operating permits for both area and major sources under 40 CFR Part 70 and 20.2.70 NMAC. The initial air emissions inventory was used to determine if the WIPP facility is a major source as defined in 40 CFR Part 70 and 20.2.70 NMAC. A facility is considered a "major source," and is required to obtain an operating permit if the facility emits at least 100 tons per year (tpy) of any pollutant, 10 tpy of any single HAP, or

25 tpy of any combination of HAPs. Based on inventory emission calculations, the WIPP facility is not a major source and is not currently required to obtain a federal CAA operating permit. A routine review and approval process is used at the WIPP facility to evaluate proposed actions and identify potential regulatory issues such as the applicability of Title V permits.

6.1.6 Title VI, *Stratospheric Ozone Protection*

Title VI of both the CAA and the CAAA places restrictions on, and phases out the use of, ozone-depleting chemicals, particularly chlorofluorocarbons (CFCs). It is implemented by 40 CFR Part 82, "Protection of Stratospheric Ozone." These regulations are designed to phase out the use of Class I and Class II substances. Class I substances (40 CFR §82.4) are CFCs, halons, carbon tetrachloride, methyl chloroform, hydrobromofluorocarbons, and methyl bromide. Class II substances (40 CFR §82.15) are hydrochlorofluorocarbons, which generally have a lower ozone-depleting potential than do CFCs. The production of most Class I substances was prohibited as of January 1, 1996 (methyl bromide is prohibited as of January 1, 2005). Effective January 1, 2015, the use of Class II substances will be prohibited unless the substance is used and entirely consumed in producing other chemicals; or is used as a refrigerant in appliances manufactured prior to January 1, 2020. By January 1, 2030, the manufacture of all Class II substances will also be prohibited.

Implementing regulations pertaining to labeling requirements and the use and disposal of Class I substances during the service, repair, or disposal of appliances and industrial process refrigeration are codified in 40 CFR Part 82, Subpart E, "The Labeling of Products Using Ozone-Depleting Substances." Recycling equipment registrations and training certifications were received from all WIPP refrigerant recycling contractors.

Most of the requirements pertaining to ozone-depleting substances (ODSs) such as CFCs are applicable primarily to manufacturers of the chemicals, products containing the chemicals, or products in which ODSs are used during the manufacturing process. These regulations are applicable to the WIPP facility and these products will no longer be available for use after the time specified in the regulations. Replacement products must be found. Any container in which Class I or Class II substances (including waste) will be transported must have a warning label as required by 40 CFR §82.106, "Warning: Contains [or Manufactured with, if applicable] [insert name of substance], a substance which harms public health and the environment by destroying ozone in the upper atmosphere."

The WIPP WAC allow no pressurized containers to be transported in the approved CH and RH TRU Type B Packages. Wastes destined for the WIPP facility will not include containers with Class I or Class II substances, and the labeling requirements for Class I and Class II substances are not applicable to TRU wastes destined for this facility.

6.2 Status of Compliance With the Regulatory Requirements

6.2.1 Control of Pollution from Federal Facilities, CAA §118

> *Each department of the executive, legislative, and judicial branches of the federal government having jurisdiction over any property or facility or engaged in any activity resulting in or that may result in the discharge of air pollutants and each employee thereof is subject to and must comply with all federal, state, interstate, and local requirements respecting the control and abatement of air pollution in the same manner and to the same extent as any nongovernmental entity.*

The DOE complies with all federal and state requirements pertaining to the release of air pollutants that apply to the WIPP facility. Compliance with federal and state air-quality requirements are described in this section and in Section 28.0, respectively.

6.2.2 National Emission Standards for Emissions of Radionuclides Other than Radon from Department of Energy Facilities, 40 CFR Part 61, Subpart H (40 CFR §61.90)

> *The provisions of this subpart apply to operations at any facility owned or operated by the DOE that emits any radionuclides other than radon-222 and radon-220 into the air, except that this subpart does not apply to disposal at facilities subject to 40 CFR Part 191, Subpart B or 40 CFR Part 192.*

The WIPP effluent monitoring program was established and placed in operation to comply with the provisions of the May 16, 1995, Memorandum of Understanding Between the U.S. Environmental Protection Agency and the U.S. Department of Energy Concerning the Clean Air Act Emission Standards for Radionuclides 40 CFR Part 61, Including Subparts H, I, Q, and T (DOE, 1995). Hence, regardless of the exemption afforded to WIPP per 40 CFR §61.90, the DOE agreed to demonstrate compliance with the emissions standard of 40 CFR Part 61, Subpart H by virtue of the MOU.

6.2.2.1 NESHAP Start-Up Notifications, 40 CFR §61.9(a)

> *The EPA will be notified of planned start-up between 30 and 60 days prior to start-up. The EPA will be notified of actual start-up of WIPP within 15 days after that date.*

On January 20, 1999, the DOE submitted prestart-up notification letters to the EPA Administrator and to the EPA Region VI office to inform them of the planned start-up of the WIPP facility, scheduled for late March 1999 (DOE, 1999a). The actual start-up date was March 26, 1999, with the notification letters of actual start-up were submitted to the EPA on this date (DOE, 1999b). These letters met the time frame requirements for notification.

6.2.2.2 Standard, 40 CFR §61.92

> *Emissions of radionuclides to the ambient air from DOE facilities shall not exceed those amounts that would cause any member of the public to receive in any year an EDE of 10 mrem/year.*

Compliance is determined by using computer model CAP88-PC with the appropriate population distribution to calculate the highest EDE to any member of the public at any off-site point where there is a residence, school, business, or office. For CY 2006, the calculated EDE for normal operations from the WIPP facility to the maximally exposed individual at a residence located 7,500 meters west-northwest of WIPP was less than 3.93E-06 mrem per year (whole body). For CY 2006, the annual report on radionuclide air emissions from WIPP was submitted to the EPA on June 28, 2007 (DOE, 2007f). For CY 2007, the calculated EDE for normal operations from WIPP operations was less than 7.01E-06 mrem per year (whole body) to the maximally exposed individual located at the same residence. The CY 2007 annual report on radionuclide air emissions from WIPP was submitted to the EPA on June 25, 2008 (DOE, 2008c). Both annual reports showed that the calculated values are well below the 10 mrem per year limit and the 0.1 mrem per year for periodic confirmatory sampling.

6.2.2.3 Emissions Monitoring and Test Procedures, 40 CFR §61.93(a) and (b)

> *Compliance with the standards, radionuclide emissions, shall be determined and EDE values to members of the public calculated using EPA-approved sampling procedures, computer models, or other procedures for which the EPA has granted prior approval. Radionuclide emission rates from point sources shall be measured at all release points which have a potential to discharge radionuclides into the air in quantities which could cause an EDE in excess of 1.0 percent of the standard. For other release points, periodic confirmatory measurements shall be made to verify the low emissions.*

The WIPP facility has three effluent monitoring stations - Stations A, B, and C. At each effluent monitoring station fixed air samplers (FASs) are used to collect representative samples of airborne particulates. Approved and controlled operating procedures are used at the WIPP facility to ensure that uniform methods are used to collect, package, and transport FAS filters. Station A FAS filter samples are collected at least once each working shift to assure a representative sample. Station B FAS filter samples are collected at least weekly and at the end of each underground effluent filtration event. Station C FAS filter samples are collected at least weekly. Samples are composited on a monthly or quarterly basis, depending on sample location and the number of samples collected. These particulate filters are initially analyzed for gross alpha and gross beta activities. Filters from all three stations are analyzed for plutonium-238 (^{238}Pu), plutonium-239-240 ($^{239+240}$Pu); americium-241 (^{241}Am); strontium-90 (^{90}Sr); cesium-137 (^{137}Cs); uranium 233-234 ($^{233-234}$U); and uranium 238 (^{238}U). The composite sample results are summed to obtain a total quantity for each radionuclide released from each

effluent monitoring station. These values are used as input into the CAP88-PC software package to calculate the EDE to members of the public for the purpose of demonstrating compliance with 40 CFR §61.92.

6.2.2.4 NESHAP Quality Assurance Program Plan, 40 CFR §61.93(b) and Appendix B, Method 114, Section 4.10

A NESHAP Quality Assurance Program is required for facilities subject to Subpart H of NESHAP.

A QA program plan for sampling radionuclide emissions to the ambient air at the WIPP facility is in place.

6.2.2.5 NESHAP Annual Report, 40 CFR §61.94

A NESHAP annual report must be submitted by June 30 for facilities subject to Subpart H of NESHAP.

The DOE filed NESHAP reports by June 30 for both of the years in this reporting period as noted in Subsection 6.2.2. Reports filed are for previous calendar years.

6.2.2.6 Record-Keeping Requirements, 40 CFR §61.95

All facilities must maintain records documenting the source of input parameters, including the results of all measurements upon which they are based, the calculations and/or analytical methods used to derive values for input parameters, and the procedure used to determine the EDE. This documentation should be sufficient to allow an independent auditor to verify the accuracy of the determination made concerning the facility's compliance with the standard. These records must be kept at the site of the facility for at least five years and, upon request, be made available for inspection by the EPA Administrator or their authorized representative.

Monitoring for airborne radioactive emissions has been performed at the WIPP facility since 1998. All applicable records are maintained on-site for at least five years and are available for examination if requested by the EPA Administrator or an authorized representative. The results of the measurements, supporting calculations, analytical methods, and procedures used to determine the EDE are all included in the records.

6.2.2.7 NESHAP Application for Radionuclides, 40 CFR §61.96

The submittal of a NESHAP application is required prior to construction or modification of any DOE facility that will emit radionuclides to the air.

Compliance with NESHAP (40 CFR §61.96[b]) is maintained. No NESHAP application was submitted to the EPA during this reporting period because no new construction or modification that would emit radionuclides to the air was performed at WIPP and total estimated annual EDE values for the facility were less than 1 percent of the standard.

6.2.3 Regulation of Fuel and Fuel Additives, 40 CFR Part 80

Regulation of fuels and fuel additives pertaining to the WIPP facility is included here. See also Section 28.0 for more detail regarding the state of New Mexico implementation of the CAA.

6.2.3.1 Regulation of Fuel and Fuel Additives - Requests for Information, 40 CFR §80.7

> *If the Administrator, the Regional Administrator, or a delegate has reason to believe that a violation of Section 211(c) or Section 211(n) of the CAA or its implementing regulations with respect to the use of prohibited fuel (e.g., leaded) has occurred, they may require that any wholesale purchaser/consumer report information regarding receipt, transfer, delivery, or sale of gasoline represented to be unleaded and to allow the reproduction of such information at all reasonable times. The purchaser/consumer is also required to provide any other information to the EPA representative as requested to enable him/her to ensure that the purchaser/consumer acted in compliance with the applicable provisions of the CAA and the implementing regulations.*

The WIPP Project procurement program assures the purchase of fuels that are compliant with the regulatory requirements.

6.2.3.2 Regulation of Fuel and Fuel Additives - Controls and Prohibitions, 40 CFR §80.22

> *After December 31, 1995, no person shall dispense or supply any gasoline produced with the use of lead additives or that contains more that 0.05 gram of lead per gallon, nor shall he or she supply or dispense gasoline represented to be unleaded unless it meets the criteria specified in 40 CFR §80.2(g) or allow gasoline other than unleaded to be dispensed into any motor vehicle that is equipped with a gasoline tank filler inlet designed for the introduction of unleaded gasoline.*

The WIPP Project procurement program assures the purchase of fuels that are compliant with the regulatory requirements.

6.2.3.3 Regulation of Fuel and Fuel Additives - Liability for Violations, 40 CFR §80.23

> *In any case in which a wholesale purchaser-consumer or their employee or agent introduces gasoline other than unleaded into a motor vehicle equipped with a gasoline tank filler inlet designed for the introduction of unleaded gasoline, only the wholesale purchaser-consumer shall be deemed in violation.*

The WIPP Project procurement program assures the purchase of fuels that are compliant with the regulatory requirements.

6.2.4 Protection of Stratospheric Ozone, 40 CFR Part 82

A number of requirements have been imposed that relate to CFCs and other ODSs. Most of these requirements pertain directly to manufacturers; however, because of the planned phaseout of these materials, the regulations will also impact users of these materials.

6.2.4.1 Restrictions on Repairing and Servicing Motor Vehicle Air Conditioners, 40 CFR §82.34

> *No person repairing or servicing motor vehicles for consideration may perform any service on a motor vehicle air conditioner involving the refrigerant for the air conditioner without using approved refrigerant recycling equipment and unless he or she has been properly trained and certified by a technician certification program approved by the Administrator.*

No government vehicles are serviced, repaired, or maintained by WIPP employees. The MOC maintains a qualified vendor list and has procurement procedures in place to ensure that equipment is serviced by properly trained and certified vendors.

6.2.4.2 Prohibitions, 40 CFR §82.124(a)(4)

> *On or after May 15, 1993, no person may modify, remove, or interfere with any warning statement required by this subpart, except as described in 40 CFR §82.112.*

Manufacturers must label appliances and products containing CFCs. The MOC industrial safety and hazardous materials management program plans require that warning labels must not be tampered with or removed. If a label is damaged and becomes unreadable, it is replaced.

6.2.4.3 Service, Maintenance, and Repair of Appliances Using Refrigerants, 40 CFR §82.150

This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. This subpart also applies to persons disposing of appliances, including motor vehicle air conditions. In addition, this subpart applies to refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment.

Although no WIPP employees service, maintain, or repair appliances, these regulations are applicable because the facility owns appliances and disposes of appliances. The MOC maintenance work instructions for recharging and reclaiming refrigerants and property management procedures dictate that WIPP facility appliances will be sold intact or the refrigerants removed by a certified recycling contractor.

6.2.4.4 Prohibitions Regarding Maintenance, Service, Repair, or Disposal of Appliances, 40 CFR §82.154

Prohibitions are specified for persons who maintain, service, repair, or dispose of appliances who may vent or otherwise release into the environment any refrigerant or substitute substance used as refrigerant in such equipment. De minimis releases associated with good faith attempts to recycle or recover refrigerants are not subject to this prohibition. No person may dispose of appliances except for small appliances, motor vehicle air conditioners, and motor vehicle air conditioner-like appliances unless the required practices described in 40 CFR §82.156 are observed and equipment that is certified for that type of appliance is used. Prohibitions are also specified regarding recycling or recovery equipment.

Prohibitions also exist for the sale of Class I or Class II substances consisting wholly or in part of used refrigerants.

It is a violation of this subpart to accept a signed statement pursuant to 40 CFR §82.156(f)(2) if the person knew or had reason to know that such a signed statement is false.

The MOC maintains a qualified vendor list and has procurement procedures in place to ensure that equipment is serviced by properly trained and certified vendors. The qualified vendor list also ensures that materials are disposed of at properly permitted facilities that comply with the applicable regulations

No Class I or II substances are sold or distributed from the WIPP facility.

6.2.4.5 Required Practices, 40 CFR §82.156

> *Any person opening appliances other than motor vehicle air conditioners must evacuate the refrigerant to a system receiver or to a recovery or recycling machine as specified. At least one piece of certified, self-contained recovery equipment must be available at their place of business.*
>
> *Leaks in appliances containing refrigerant must be repaired as specified.*

The MOC maintains a qualified vendor list and has procurement procedures in place to ensure that equipment is serviced by properly trained and certified vendors. The qualified vendor list also ensures that materials are disposed of at properly permitted facilities that comply with the applicable regulations

6.3 Status of Compliance With the Permit Conditions

Currently, the permit for the backup diesel electrical power supply generators is the only CAA-related permit obtained by the DOE for the facility. WIPP is in compliance with this permit, which is discussed in more detail in Section 28.0.

7.0 FEDERAL WATER POLLUTION CONTROL ACT OF 1972 ("CLEAN WATER ACT")

7.1 Summary of the Law

The Federal Water Pollution Control Act of 1972 (33 U.S.C. §§1251, et seq.) is usually referred to as the "Clean Water Act" (CWA) and sets forth requirements for the discharge of pollutants into surface waters of the United States. The major programs under this act are the Oil Pollution Prevention standards of 40 CFR Part 112, and the National Pollutant Discharge Elimination System of 40 CFR Part 122.

7.2 Status of Compliance With the Regulatory Requirements

These programs are not applicable to activities conducted at WIPP because WIPP cannot feasibly discharge pollutants into surface waters of the United States.

8.0 SAFE DRINKING WATER ACT

8.1 Summary of the Law

The SDWA of 1974, as amended, provides the regulatory strategy for protecting public water supply systems and underground sources of drinking water. As defined in the implementing regulations in 40 CFR Part 141, "National Primary Drinking Water Regulations," these systems provide water for human consumption, have at least 15 connections, or regularly serve at least 25 people.

The SDWA also protects underground sources of drinking water from underground injection of contaminated fluids. Underground injection, defined as "subsurface emplacements of fluids by well injections" in 42 U.S.C. §300h, is governed by the Underground Injection Control program described in Subpart C of 40 CFR Part 144.

The EPA delegated authority for ensuring compliance with the SDWA's National Primary Drinking Water Standards by approving the NMED's drinking water regulations. These regulations now occupy 20.7.10 NMAC (see Section 30.0).

8.2 Status of Compliance With the Regulatory Requirements

The LWA specifically requires compliance with the SDWA. The NMED has authority to administer the SDWA in New Mexico.

8.2.1 State Program Requirements, 40 CFR §142.3(b)

Applicable requirements in this section are covered in the state program for the SDWA (see Section 30.0).

8.2.2 Underground Injection Control, 40 CFR Part 144

The EPA has established a number of requirements for facilities that dispose of wastes by means of underground injection.

None of the wastes currently generated at WIPP are injected underground, nor will TRU waste be disposed of by underground injection at WIPP. The EPA's requirements for Underground Injection Control do not apply to WIPP.

9.0 TOXIC SUBSTANCES CONTROL ACT

9.1 Summary of the Law

The TSCA regulates the production, use, distribution, and disposal of new, potentially toxic chemical substances. The act applies primarily to commercial manufacturers, importers, and processors of toxic chemicals. WIPP is not a manufacturer or a processor of chemical products; therefore, most of the provisions of TSCA do not apply. However, three sections of this act pertain to existing commercial toxic substances rather than to the development of new chemicals. These sections deal with asbestos, indoor radon abatement, and PCBs.

9.1.1 Asbestos Hazard Emergency Response Act of 1986

Because of the potential for serious health hazards associated with asbestos, Congress amended TSCA in 1986 by adding Title II, the Asbestos Hazard Emergency Response Act to control asbestos-containing materials in schools.

The DOE completed a survey of WIPP site and Canal Street building in February 1993, and transmitted the survey results to the DOE Albuquerque Operations Office in March 1993 (Mewhinney, 1993). The survey determined that no asbestos containing materials were found at any of the locations.

9.1.2 Indoor Radon Abatement

The Title III TSCA amendment, *Indoor Radon Abatement*, was added to address the national long-term goal "with respect to radon levels in buildings, that the air within the buildings in the United States should be as free of radon as the ambient air outside of buildings." One of the goal-driven requirements that Title III sets forth in §2669, "Study of Radon in Federal Buildings," directs each federal department or agency that owns a federal building to conduct a study to determine the extent of radon contamination in such buildings. The DOE responded to this requirement through *Results of the U.S. Department of Energy Indoor Radon Study* (DOE, 1990b).

9.1.3 Polychlorinated Biphenyls

Section 6(e) of TSCA, *Polychlorinated Biphenyls*, directed the EPA to phase out PCB manufacture and use according to a mandated timetable. The regulations at 40 CFR Part 761, "Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions," implement the PCB provisions of TSCA. This part applies to all parties who manufacture, process, distribute in commerce, use, or dispose of PCBs or PCB items. DOE policy now prohibits the use of PCB items or equipment in DOE-installed equipment at facilities such as WIPP. Surveys were done at DOE sites to identify any PCBs or PCB-containing equipment and to eliminate the fluids and equipment in accordance with EPA storage and disposal regulations. No PCBs have been used at the WIPP facility.

The PCB storage and disposal regulations are listed in the applicable subparts of 40 CFR Part 761. An initial report requesting authorization to store and dispose of TRU waste contaminated with PCBs, in accordance with the chemical waste landfill provisions of 40 CFR §761.75, was submitted to EPA Region VI on March 22, 2002 (DOE/WIPP-02-3196, *Waste Isolation Pilot Plant Initial Report for PCB Disposal Authorization*) (DOE, 2002a). This initial report included requests for waivers to the technical requirements for hydrological conditions, surface and groundwater monitoring, and leachate collection. On May 15, 2003, the EPA Region VI approved the disposal of TRU waste containing PCBs per the initial report. On February 5, 2005, WIPP received the first shipment of PCB-contaminated TRU waste.

On April 6, 2006, the DOE requested an amendment to the May 15 approval by EPA Region VI (DOE, 2006b). The amendment requested approval to dispose of PCB TRU and PCB mixed TRU waste in Panels 4 through 7 and the approval to dispose of RH PCB TRU and PCB TRU mixed waste. On November 15, 2006, EPA Region VI approved the DOE request and issued an amended Conditions of Approval (COAs) for PCB waste disposal at WIPP (EPA, 2006).

On March 19, 2007, the DOE requested the reauthorization of its approval for land disposal of non-liquid PCB TRU and PCB TRU mixed waste in accordance with 40 CFR §761.75 (DOE, 2007f). On February 5, 2008, the DOE received notice from EPA Region VI of its proposal to reauthorize the Waste Isolation Pilot Plant Chemical Waste Landfill for storage and disposal of non-liquid PCBs (DOE, 2008d).

On May 30, 2007, the DOE requested a modification to the WIPP COA for disposal of PCB TRU and PCB TRU mixed waste (DOE, 2007h). The request was for a modification regarding marking of PCB containers and PCB article containers to exclude direct labeling of U.S. Department of Transportation (DOT) Type 7A RH PCB/TRU waste containers. These containers are loaded into shielded shipping casks which are marked pursuant to 40 CFR §761.40. In addition, on June 4, 2007, the DOE requested approval of a 40 CFR §761.79(h) (alternate decontamination or sampling) approval for cleanup of mixed PCB/TRU waste spill material inside the WHB. On September 20, 2007, EPA Region VI approved both requests and issued an amended COA (EPA, 2007).

9.2 Status of Compliance With the Regulatory Requirements

During this reporting period, the WIPP facility was in compliance with requirements for PCB marking, storage, and records and monitoring. WIPP submitted verbal and written notification of the noncompliance under Section K of the COAs. The text provides more detail on the compliance status of key requirements.

9.2.1 Study of Radon in Federal Buildings, TSCA, Part 309

> *Each federal agency that owns a building must conduct a study of radon contamination in the building(s).*

The DOE conducted an indoor radon study in response to this requirement and submitted the findings in *Results of the U.S. Department of Energy Indoor Radon Study* (DOE, 1990b). Radon concentrations measured were less than 1.0 picoCuries per liter (pCi/l). These concentrations are below the 4 pCi/l level at which the EPA recommends further testing of indoor radon.

9.2.2 Prohibition of PCBs, 40 CFR §761.20

> *No person may use any PCB or any PCB item regardless of concentration in any way other than in a totally enclosed manner within the United States.*

No PCBs were identified during this reporting period.

9.2.3 Disposal Requirements for PCBs, 40 CFR Part 761, Subpart D

In most circumstances, PCBs must be incinerated as required by 40 CFR §761.70 or placed in chemical-waste landfills that meet the requirements of 40 CFR §761.75 and that have been approved as a landfill for PCBs by the EPA.

WIPP did not dispose of equipment that contained PCB fluids during the reporting period.

9.2.4 Certificate of Disposal, 40 CFR §761.218(b)

The owner or operator of the disposal facility shall send the Certificate of Disposal to the generator identified on the manifest which accompanied the shipment of PCB waste within 30 days of the date that disposal of each item of PCB waste identified on the manifest was completed unless the generator and the disposer contractually agree to another time frame.

On January 5, 2007, the DOE notified the EPA by phone of three instances where Certificates of Disposal for waste containing PCBs disposed of at WIPP were not sent back to the generator site within 30 days. On that same date, Certificates of Disposal were prepared and submitted for the three shipments. Written notification to the EPA of this instance followed on January 12, 2007 (DOE, 2007a).

9.2.5 Annual Report, 40 CFR §761.280(b)(3)

The owner or operator of a PCB disposal facility or a commercial storage facility shall submit an annual report, which briefly summarizes the records and annual document log required to be maintained and prepared to the EPA Regional Administrator by July 15.

Annual reports for 2006 and 2007 were submitted to the EPA prior to the required date.

10.0 FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

10.1 Summary of the Law

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. §§136, et seq.) authorizes the EPA to regulate the registration, certification, use, storage, disposal, transportation, and recall of pesticides. Section 18 of FIFRA authorizes the EPA to exempt state and federal agencies from any provision of the act if emergency conditions requiring an exemption were determined to exist. *Exemption of Federal and State Agencies for Use of Pesticides under Emergency Conditions* provides guidelines for urgent, nonroutine situations that require the use of pesticides and for which exemptions may be authorized. Sections 19(a) and 25(a) of FIFRA authorize the EPA

to establish regulations and procedures regarding the disposal or storage of packages and containers of pesticides and the disposal or storage of excess amounts of such pesticides. FIFRA provided for *Regulations for the Acceptance of Certain Pesticides and Recommended Procedures for the Disposal and Storage of Pesticides and Pesticides Containers*; established procedures for the acceptance, disposal, or storage of packages and containers of pesticides; and provided for the disposal or storage of excess amounts of such pesticides. The standards of FIFRA are considered mandatory for DOE facilities. The DOE requires applicators under contract to comply with the requirements of the New Mexico Pesticide Control Act and the implementing regulations set forth in 21.17.50 NMAC. More information on the state requirements is provided in Section 37.0. All uses and applications of restricted-use pesticides at WIPP are conducted only by commercial pesticide applicators who are under contract with the MOC and are required to meet federal and state standards.

10.2 Status of Compliance With the Regulatory Requirements

The two major requirements of FIFRA and the compliance status of each are summarized in the text.

10.2.1 Registration of Pesticide Products, 40 CFR §152.15

> *No person may distribute or sell any pesticide product that is not registered under FIFRA. The pesticide must be registered if the person who distributes or sells the substance knows that it will be used as a pesticide.*

WIPP does not distribute or sell pesticide products.

10.2.2 Storage and Disposal of Pesticides and Containers, 40 CFR §156.10

> *The directions for use shall include specific directions for the storage and disposal of pesticides and their containers.*

The majority of these requirements are not applicable as WIPP personnel do not manufacture, formulate, label, use, store, or dispose of pesticides on-site other than as general-use wasp and hornet pesticides. These are stored and used according to label instruction. When empty, cans are punctured and discarded by WIPP personnel into Satellite Accumulation Area (SAA) containers and managed as hazardous waste.

11.0 NOISE CONTROL ACT OF 1972

11.1 Summary of the Law

In the Noise Control Act of 1972 (42 U.S.C. §§4901, et seq.) (the "Act"), the EPA declared its policy of promoting an environment for all Americans that is free from noise that jeopardizes public health or welfare. According to the Act's policy clause in §4901(a)(3), the primary responsibility for noise control is vested in state and local

governments. Federal regulation is deemed essential only for commercial noise sources requiring national uniformity of treatment (e.g., aircraft noise). Federal agencies are directed to carry out the programs within their control in a manner that furthers the Act's policy. Section 4 of the Act states, "each agency having jurisdiction over any property or facility, or engaged in any activity resulting or which may result in the emission of noise, shall comply with federal, state, interstate, and local requirements regarding the control and abatement of environmental noise to the fullest extent consistent with their authority." Facilities under the DOE are required to comply with the Occupational Safety and Health Administration regulations that address occupational noise exposure standards under 29 CFR Part 1910, "Occupational Safety and Health Standards."

The regulations under 29 CFR §1910.95, "Occupational Noise Exposure," define the permissible noise exposure levels to which employees may be subjected. The regulations also include requirements for the development and implementation of a monitoring program, the establishment and maintenance of an audiometric testing program, the measurement of noise, the provision of personal hearing protection equipment when necessary, and the administration of a hearing conservation program.

11.2 Status of Compliance With the Regulatory Requirements

The following summarizes the applicable requirement and its compliance status.

11.2.1 Compliance With Hearing Protection Standards, 29 CFR §1910.95

Employers must take measures to protect the hearing of employees.

The DOE administers a full program in accordance with the occupational noise exposure regulations of the Occupational Safety and Health Act. Program activities include the following: a hearing conservation program, an audiometric testing program, administrative and engineering controls, noise measurement (e.g., sound meters, dosimetry), and the provision of personal hearing protection equipment (e.g., ear plugs, ear muffs). The DOE maintains a contract with a certified occupational medicine or health physician, requires hearing protection training for WIPP employees, and implements the Hearing Conservation Program. The WIPP industrial hygiene program, safety manual, and the occupational health manual and their implementing procedures address the requirements and activities conducted under this program.

12.0 NATIONAL ENVIRONMENTAL POLICY ACT

12.1 Summary of the Law

The National Environmental Policy Act (NEPA) (42 U.S.C. §§4321, et seq.) is a comprehensive legislative policy statement on protection of the environment. The NEPA requires that the federal government consider potential environmental impacts as part of the decision-making process prior to the initiation of new projects and activities.

The Act also requires that the public should be allowed to review and comment on proposed projects with the potential to significantly affect the environment. The NEPA created the formation of the Council on Environmental Quality (CEQ). The CEQ, contained within the Executive Branch of the government, is the agency charged by Congress to advise the President with regard to national environmental policy. The CEQ's regulations at 40 CFR Parts 1500 through 1508 outline specific requirements for the early integration of the NEPA process, the preparation of Environmental Impact Statements (EISs) or Environmental Assessments (EAs), public review and solicitation of comments on EISs, decisions with respect to an EIS or EA, and implementation of the decisions. The NEPA regulations also instruct federal agencies to interpret and administer their own specific directives (such as regulations, plans, or orders) to implement the regulations within their agency. General directives to federal agencies include considering the impacts of actions in decisions, providing necessary data for decisions, informing the public, and soliciting public input in the decision process.

12.1.1 Summary of DOE NEPA Regulations

The DOE NEPA regulations (10 CFR Part 1021) implement NEPA and supplement and clarify the NEPA requirements contained in 40 CFR Parts 1500 through 1508. DOE Order 451.1B, Change 1, *National Environmental Policy Act Compliance Program*, assigns responsibilities for NEPA compliance to specified DOE organizations and individuals. DOE regulations also add a requirement for Mitigation Action Plans, Supplement Analyses (SAs) and delineate specific categorical exclusions for DOE facility operations.

The DOE regulations describe the process the DOE follows in preparation of DOE NEPA documents. In general, an EIS is prepared for proposed actions where the impacts of the action are likely to be significant and an ROD is issued to announce the DOE's decision and the rationale behind that decision. An EA is prepared for proposed actions where the environmental impacts of the action are not likely to be significant. An EA is followed by a finding of no significant impact (FONSI) if, after the analysis, the impacts are found not to be significant, or the preparation of an EIS if the impacts are found to be significant. Both RODs and FONSIs may contain commitments to mitigate adverse environmental impacts, which are included in Mitigation Action Plans. Progress toward mitigation is reported annually to ensure that mitigation actions are being implemented. SAs examine the conclusion reached in previously prepared NEPA documents in light of changed circumstances to determine whether the impacts of the proposed action have changed significantly and warrant additional NEPA analysis (normally an EA or a supplement to an EIS). Categorical exclusions are classes of actions that the DOE has determined do not individually or collectively have the potential for significant environmental impacts.

12.2 Status of Compliance With Regulatory Requirements

Pursuant to the requirements of NEPA, the DOE published the WIPP *Final Environmental Impact Statement* (FEIS) (DOE/EIS-0026) (DOE, 1980). The FEIS

analyzed and compared the environmental impacts of various alternatives for demonstrating the safe disposal of TRU waste resulting from national defense activities.

Based on the environmental analyses in the FEIS, the DOE published a ROD in 1981 to proceed with the phased development of the WIPP facility (DOE, 1981). A number of mitigation commitments were specified in the ROD.

The DOE published a supplemental EIS in the SEIS-I (DOE, 1990a) which addressed alterations in the composition of the waste inventory, the transportation of waste to WIPP, conducting a test phase at WIPP, and management of mixed waste (TRU waste with hazardous constituents). The DOE published a ROD to the SEIS-I in 1990 (DOE, 1990c).

In October 1993, the DOE decided not to conduct the full range of test phase experiments at WIPP and moved toward the implementation of waste disposal operations. In September 1997, the DOE published the SEIS-II (DOE, 1997a). The SEIS-II evaluated the circumstances that had changed since 1990 and newer site data that might result in different environmental impacts from WIPP disposal and closure operations.

In January 1998, the DOE issued the ROD for the SEIS-II (DOE, 1998). The SEIS-II ROD was prepared in coordination with the DOE's waste management Programmatic EIS ROD for TRU waste. The SEIS-II ROD describes the DOE's decision to dispose of TRU wastes generated by defense-related activities at WIPP. This decision was based on the DOE's analysis of alternatives described in the SEIS-II.

The DOE issued the *Mitigation Action Plan for the Records of Decision for the Waste Isolation Pilot Plant* (DOE/WIPP-91-030) on July 10, 1991 (DOE, 1991). This document addresses the mitigative commitments stated in the RODs to the 1980 FEIS and the 1990 SEIS and discusses mitigative actions, organizations responsible for implementing these actions, and the status of each commitment. No new mitigation commitments were identified in the ROD for the SEIS-II. The Annual Mitigation Report is issued annually to track the status of each commitment not yet completed.

12.2.1 Status of Other NEPA Documentation Related to WIPP

In addition to FEIS, SEIS-I, and SEIS-II, the DOE has published additional NEPA documentation related to WIPP operations and related waste programs. These documents have included EAs and FONSIs, SAs, and revised RODs. To date no FONSI has resulted in additional mitigation commitments and no SA has resulted in the need to prepare additional NEPA analysis beyond a revision to an existing ROD.

During this reporting period, the DOE issued two additional SAs. The first pertained to the transportation of transuranic waste in TRUPACT-III (Transuranic Package Transporter Model III) containers. The next pertained to the treatment of transuranic waste at the INL.

In September of 2007, the DOE issued an SA that examined the impacts of transporting some wastes in oversize boxes directly to WIPP using the TRUPACT-III transportation container (*Supplement Analysis for the Transportation of Transuranic Waste in TRUPACT-III Containers* [DOE/EIS-0026-SA-06] [DOE, 2007i]). The SA concluded that an additional EIS would not be required.

In February of 2008, the DOE issued an SA that examined the impacts of centralizing the treatment and characterization of transuranic waste from several DOE sites at DOE's INL prior to disposal at WIPP (*Supplement Analysis for the Treatment of Transuranic Waste at the Idaho National Laboratory*) (DOE/EIS-0200-SA03) (DOE, 2008e). As a result of this SA, the DOE issued a revised ROD for the DOE's Waste Management Program (Amendment to the Record of Decision for the Department of Energy's Waste Management Program: Treatment and Storage of Transuranic Waste, 73 Fed. Reg. 12401 through 12403) (DOE, 2008f).

12.2.2 Operational Compliance With NEPA at WIPP

Day-to-day operational compliance with NEPA at WIPP is achieved by the review of proposed work, facility changes, and programmatic changes in accordance with a site compliance procedure. The CBFO NEPA Compliance Officer is responsible for making a determination as to whether additional NEPA documentation is required prior to the decision to implement these proposals. If the action is outside the WIPP NEPA compliance envelope (i.e., the NEPA analysis that has already been prepared for WIPP), the CBFO NEPA Compliance Officer may make a determination that the proposed action is categorically excluded. If the action is not covered by WIPP programmatic NEPA documentation and is not categorically excluded, the CBFO NEPA Compliance Officer submits a recommendation to the appropriate official as delineated by DOE Order 451.1B regarding the need to prepare an SA, EA, or EIS to address the proposed action and oversees said activities.

13.0 ATOMIC ENERGY ACT AND PRICE-ANDERSON ACT AMENDMENTS

13.1 Summary of the Law

The AEA established a national program for research, development, and use of atomic energy for national defense and civilian purposes. Section 161 of the AEA authorized the U.S. Atomic Energy Commission (AEC) to establish rules, regulations, and orders to protect health and minimize hazards to life or property through standards and restrictions pertaining to the design, location, and operation of facilities.

The AEC has been succeeded by three organizations: (1) the Energy Research and Development Administration, (2) the DOE for national defense, and (3) the NRC for domestic civilian purposes (see Section 14.0 for the compliance status of NRC-related requirements). The AEA and subsequent reorganization acts gave the DOE its authority to develop policies, issue orders, and promulgate regulations that address environmental, safety, and health protection aspects of radioactive waste and nuclear materials. Limits on radioactivity levels in TRU waste to be disposed of at WIPP are set

in Section 7 of the LWA. The radioactive constituents of the TRU waste to be shipped to and disposed of at WIPP are regulated under the AEA by the DOE. This is done through a system of orders, notices, directives, and policies and the DOE Regulations in the10 CFR Parts 830 and 835 Series.

Congress amended the AEA of 1954 with the Price-Anderson Act (42 U.S.C. §2210) in 1957. The purpose of the Price-Anderson Act is threefold: (1) to promote growth and development of nuclear energy through increased private industry participation, (2) to protect the public, and (3) to ensure compensation should a nuclear event occur that damages and/or injures members of the public by providing funds for recovery operations. Congress passed the Price Anderson Amendments Act of 1988 (PAAA) (Pub. L. 100-408) to allow the DOE to impose civil and criminal penalties on its contractors, subcontractors, and employees for violating any nuclear safety rule or order issued by the Secretary of Energy.

13.2 Status of Compliance With Regulatory Requirements

The compliance status for each of the DOE orders that implement the AEA related to the protection of public health and safety and the environment and are relevant to the management of TRU waste at WIPP are noted in the following sections.

13.2.1 DOE Order 151.1C, *Comprehensive Emergency Management System*

This order establishes requirements for emergency planning, categorization, preparedness, response, notification, public protection, and readiness assurance activities. The applicable requirements of this order are implemented through the WIPP emergency management program, the emergency response program, the training program, the emergency readiness program, the records management program, and the RCRA Contingency Plan (HWFP Attachment F).

13.2.2 DOE Order 225.1A, *Accident Investigations*

The objective of this order is to prescribe requirements for conducting investigations of certain accidents occurring at DOE operations and sites; prevent the recurrence of such accidents; and contribute to improved environmental protection and safety and health of DOE employees, contractors, and the public. This order is implemented through WP 15-MD3102, Event Investigation (WTSa); and WP 13-QA3016, Root Cause Analysis (WTSb).

13.2.3 DOE Order 231.1A, *Environment, Safety and Health Reporting*

The objective of this order is to ensure collection and reporting of information on environment, safety and health that is required by law or regulation to be collected, or that is essential for evaluating DOE operations and identifying opportunities for improvement needed for planning purposes within the DOE. The order specifies the reports that must be filed, the persons or organizations responsible for filing the reports, the recipients of the reports, the format in which the reports must be prepared, and the

schedule for filing the reports. The order is implemented at WIPP through the environmental monitoring program, the hazardous and universal waste management program, the HWFP reporting and notifications compliance program, the radiation safety program, the dosimetry program, the fire protection program, MOC procedures, and publishing the annual site environmental report.

13.2.4 DOE Order 414.1C, *Quality Assurance*

This order provides DOE policy, sets forth principles, and assigns responsibilities for establishing, implementing, and maintaining programs, plans, and actions to ensure quality achievement in DOE programs. The requirements are met through implementation of the DOE and MOC QA programs (DOE/CBFO-94-1012, *Quality Assurance Program Document* [DOE, 2007j]) (WP 13-1, Washington TRU Solutions LLC Quality Assurance Program Description [WTSc]).

13.2.5 DOE Order 420.1B, *Facility Safety*

This order specifies requirements for nuclear safety, criticality safety, fire protection, and natural phenomena hazards mitigation. The requirements are implemented through the *Waste Isolation Pilot Plant Contact Handled (CH) Waste Documented Safety Analysis*, DOE/WIPP-95-2065 (CH DSA) (DOE, 2006c); and the *Waste Isolation Pilot Plant Remote Handled (RH) Documented Safety Analyses*, DOE/WIPP-06-3174 (RH DSA) (DOE, 2006g).

13.2.6 DOE Order 435.1, *Radioactive Waste Management*

The objective of this order is to ensure that all DOE radioactive waste is managed in a manner that is protective of workers, public health and safety, and the environment. In the event that a conflict exists between any requirements of this order and the LWA regarding their application to WIPP, the requirements of the LWA will prevail. The applicable portions of this order are implemented through MOC low-level and mixed low-level waste management procedures, waste handling procedures, and by engineering design of the WHB and equipment, and the underground panel and room configurations.

13.2.7 DOE Order 450.1, *Environmental Protection Program*

DOE Order 450.1 requires DOE sites to implement environmental stewardship practices that are protective of the environment and other natural and cultural resources and to meet or exceed compliance with federal, state, and local environmental laws and regulations. It requires that this be accomplished by a site EMS that is integrated with the site's integrated safety management system (ISMS). This order is implemented through the WIPP EMS and ISMS, and related MOC procedures. Results are reported in annual site environmental reports. For this reporting period, data for CY 2006 are found in the *Waste Isolation Pilot Plant 2006 Site Environmental Report* (DOE/WIPP-07-2225) (DOE, 2007k). CY 2007 data are available in the *Waste Isolation Pilot Plant Annual Site Environmental Report for 2007* (DOE/WIPP-08-2225) (DOE, 2008g).

13.2.8 DOE Order 451.1B, *National Environmental Policy Act Compliance Program*

This order is implemented by the DOE and the MOC through adherence to a site NEPA compliance plan and procedure, and a CBFO management procedure. Further discussion of this requirement can be found in Section 12.0. This order replaced DOE Order 451.1A, which, in turn, replaced DOE Order 5440.1E.

13.2.9 DOE Order 460.1B, *Packaging and Transportation Safety*

This order establishes requirements for the packaging and transportation of hazardous materials, hazardous substances, and hazardous wastes. The order also establishes administrative procedures for the certification and use of radioactive and other hazardous materials packaging by the DOE. Requirements for portions of this order are addressed in MOC transportation procedures and the following SARs, and Certificate of Compliance (C of C) revisions specific to this reporting period):

- Transuranic Package Transporter Model II (TRUPACT-II) SAR, Revision 21 (DOE, 2005a), and C of C No. 9218, Revision 18 (July 19, 2005) (NRC, 2005a)
- Half Package Transporter (HalfPACT) SAR, Revision 4 (DOE, 2005b) and C of C No. 9279, Revision 4 (October 19, 2005) (NRC, 2005b)
- RH-TRU 72-B Cask SAR, Revision 4 (DOE, 2006e), and C of C No. 9212, Revision 4 (July 28, 2006) (NRC, 2006)
- Chem-Nuclear Systems Model CNS 10-160B Type B Radwaste Shipping Cask SAR, Revision 21 (Energy Solutions, 2007), and C of C 9204, Revision 12 (NRC, 2007)

The requirements are implemented through the MOC transportation program.

13.2.10 DOE Order 460.2A, *Departmental Materials Transportation and Packaging Management*

This order establishes DOE policies and requirements for materials transportation and packaging operations including traffic management, for other than intrabuilding and intrasite transfers. The order is implemented through the MOC transportation program.

13.2.11 DOE Order 5400.5, *Radiation Protection of the Public and the Environment*

This order establishes standards and requirements for operations of the DOE and its contractors with respect to protecting members of the public and the environment against undue risk from radiation. Activities and analyses describing compliance with the applicable requirements of this order are cited in the WIPP CH and RH DSAs

(DOE, 2006c and g). Policies regarding release of potentially radioactive materials are specified in Management Policy 1.44, Release of Materials from the WIPP Site (WTSd), monitoring activities to document compliance with the order are described in the WIPP ALARA (as low as reasonably achievable) program, the environmental monitoring program, the records management program, the radiation safety program, and health physics and radiological engineering procedures.

13.3 Nuclear Safety Management Regulations - 10 CFR Part 830 Series

The DOE has promulgated regulations that contribute to implementing requirements of the AEA at 10 CFR Part 830, "Nuclear Safety Management," which were published in the *Federal Register* on April 5, 1994. Amendments to these regulations were published in the *Federal Register* on January 10, 2001.

13.3.1 Implementation and Compliance With General Requirements for Assurance of Protection of Workers, the Public and Environment 10 CFR §830.4

> *No person may take or cause to be taken any action inconsistent with the requirements of this part. The contractor responsible for a nuclear facility must ensure implementation and compliance with the requirements of this part. The requirements of this part must be implemented in a manner that provides reasonable assurance of adequate protection of workers, the public, and the environment from adverse consequences, taking into account the work to be performed and the associated hazards.*

The MOC has implemented and is complying with the requirements of 10 CFR Part 830, Subpart A, through implementation of WP 13-1 (WTSc). Subsections 13.3.2 through 13.3.6 provide a general description of the MOC QAPD.

Compliance with 10 CFR Part 830, Subpart B, Safety Basis Requirements is achieved through the WIPP CH and RH DSAs and the *Waste Isolation Pilot Plant Contact Handled [CH] Technical Safety Requirements* (CH TSR) (DOE/WIPP-95-2125) (DOE, 2006f), and *Waste Isolation Pilot Plant Remote Handled [RH] Technical Safety Requirements* (RH TSR) (DOE/WIPP-06-3178) (DOE, 2006g) as described in Subsections 13.3.7 through 13.3.10.

13.3.2 Records to Substantiate Compliance, 10 CFR §830.6

> *Complete and accurate records will be maintained as needed to substantiate compliance with the requirements of this part.*

This rule was finalized on January 10, 2001. The MOC personnel maintain complete and accurate records as necessary to substantiate compliance with the requirements of this part. Record-keeping requirements are described in more detail in the MOC QAPD.

13.3.3 Use of a Graded Approach, 10 CFR §830.7

Where appropriate, a contractor must use a graded approach to implement the requirements of this part, document the basis of the graded approach used, and submit that documentation to the DOE.

Risk factors and the graded approach to QA are addressed in the MOC QAPD. Assignment of a specific quality code to an item or activity is commensurate with the associated risk classification; the resulting levels of control provide effective program management and incorporate due regard for the health and safety of the public and plant personnel, complexity, consequences of failure, environmental impacts, and the safe and reliable operation of WIPP and the TRU transport packaging program.

The MOC has also issued a procedure to implement the graded approach to the application of the QA criteria described in 10 CFR §830.122. The graded approach to applications of QA controls procedure has been approved by the DOE.

13.3.4 Conduct of Work in Accordance With 10 CFR §830.121(a) and 10 CFR §830.122

The contractor responsible for the DOE nuclear facility must conduct its work in accordance with the criteria described in 10 CFR §830.122.

Quality-related work is conducted in accordance with the criteria specified in 10 CFR §830.122 and described in the MOC QAPD.

13.3.5 Application of the Appropriate QA Criteria in the QAP and Annual Submittal of Substantive Changes in the QAP to the DOE, 10 CFR §830.121(b) and 10 CFR §830.121(c)

The contractor shall develop a QAP and submit it to the DOE for approval. Changes made to the QAP shall be submitted annually to the DOE for review. The contractor shall conduct work in accordance with the QAP.

The QAP must describe how the QA criteria of 10 CFR §830.122 are satisfied; integrate the QA criteria with the Safety Management System, or describe how the QA criteria apply to the Safety Management System; use voluntary consensus standards in its development and implementation; and describe how the contractor ensures that subcontractors and suppliers satisfy the QA criteria.

The MOC has developed a QAP as described in the MOC QAPD using the criteria specified in 10 CFR §830.122 (see Subsection 13.3.6). The MOC QAPD includes a discussion of how the criteria of 10 CFR §830.122 are met and how they apply to the

Safety Management System. Voluntary consensus standards, such as the NQA-1-1989 (Nuclear Quality Assurance) national standard, *Quality Assurance Program Requirements for Nuclear Facilities* (with Addenda) (American Society of Mechanical Engineers, 1989), and supplementary requirements used to develop and implement the MOC QAPD are referenced in Table I-1 of the MOC QAPD, QA Program Source Documents. Subcontractor/supplier controls are discussed in the MOC QAPD.

The MOC QAPD was submitted to the DOE, and the DOE approved it in January 1995. Several substantive changes have been made to the MOC QAPD since that time; each time, the changes were submitted to and approved by the DOE. The DOE approved the current MOC QAPD in March 2007.

The MOC conducts work in accordance with the QAP as described in the MOC QAPD and incorporated into implementing procedures which control the MOC's work.

13.3.6 QA Criteria to be Included in the QAP, 10 CFR §830.122

> *The QAP must address management program, personnel training and qualification, quality improvement, documents, and records criteria. The QAP also must address performance (i.e., work processes, design, procurement, inspection, and acceptance testing) and assessment (i.e., management assessment and independent assessment criteria).*

The MOC developed and implemented the MOC QAPD to address the QA criteria of 10 CFR §830.122. The management program, organization structure, functional responsibilities and authorities, interfaces, and planning considerations are described in the MOC QAPD.

Personnel training and qualifications are described in the MOC QAPD. The MOC QAPD provides for quality improvement and includes a description of the requirements and responsibilities for ensuring that appropriate methods are used to enhance quality, to detect and prevent quality problems, and to take corrective actions when "conditions adverse to quality" have been detected.

Requirements pertaining to documents and records are described in the MOC QAPD. The discussion in the MOC QAPD addresses the preparation, review, and approval of documents, and deals with the generation, classification, indexing, receipt, storage, preservation, disposition, retrieval, and correction of information in quality records.

The Performance Quality Assurance Requirements section of the MOC QAPD encompasses the general area of performance QA requirements. Work processes include work, implementing procedures; item identification and control; special processes; handling, storage, and shipping; and status indicators. The Design Control section presents a discussion of the design control requirements, including design input, process, analyses, interfaces, verification, and change. The Procurement section describes the requirements pertaining to procurement planning, documents, evaluation

of supplier performance, and commercial grade items. The Inspection and Testing section provides information pertaining to the requirements and responsibilities for the inspection of items or activities affecting quality to verify conformance to specified criteria. The Monitoring, Measuring, Testing, and Data Collection Equipment section describes requirements and responsibilities for the control of measuring and test equipment.

The Assessment Requirements section is comprised of two subsections: Management Assessment and Independent Assessment. The first subsection describes how managers should assess their management processes and identify, correct, and track problems that impede achievement of the organization's objectives. The second subsection describes how independent assessments are planned and conducted to evaluate compliance with the applicable QA requirements and the implementing procedures, as well as to evaluate the effectiveness of the overall quality program.

The Sample Control and Quality Assurance Requirements section deals with sample control and identification; handling, storing, and shipping samples; disposition of nonconforming samples; environmental data operation samples; and documentation, control, and validation.

The MOC QAPD also addresses QA requirements for software.

13.3.7 Safety Basis, 10 CFR §830.202(a)

> *The contractor responsible for a hazard category 1, 2, or 3 DOE nuclear facility must establish and maintain the safety basis for the facility.*

The MOC has implemented the requirements of 10 CFR §830.202(a) through the WIPP CH DSA (DOE, 2006c) and the WIPP RH DSA (DOE, 2006d).

13.3.8 Unreviewed Safety Question Process, 10 CFR §830.203(a)

> *The contractor responsible for a hazard category 1, 2, or 3 DOE nuclear facility must establish, implement, and take actions consistent with an unreviewed safety question (USQ) process that meets the requirements of this section.*

DOE G 424.1-1, *Implementation Guide for Use in Addressing Unreviewed Safety Question (USQ) Requirements*, provides information to assist in the implementation and interpretation of 10 CFR §830.203. The MOC has implemented the requirements of 10 CFR §830.203 through implementation of the WTS USQ procedure WP 02-AR3001, Unreviewed Safety Question Determination (WTSe).

13.3.9 Documented Safety Analysis, 10 CFR §830.204(a)

> *The contractor responsible for a hazard category 1, 2, or 3 DOE nuclear facility must obtain approval from the DOE for the methodology used to prepare the DSA for the facility unless the contractor uses a methodology set forth in Table 2 of Appendix A to this part.*

DOE-STD-3009, Change Notice No. 1, *Preparation Guide for U.S. DOE Non-Reactor Nuclear Facility Safety Analysis Reports* (SARs) (DOE, 2000), is the approved methodology set forth in 10 CFR §830.204[a], Table 2 of Appendix A to meet 10 CFR Part 830, Subpart B. The MOC has implemented the requirements of 10 CFR §830.204 through the WIPP CH DSA (DOE, 2006c), and the RH DSA (DOE, 2006g).

13.3.10 Technical Safety Requirements, 10 CFR §830.205(a)

> *The contractor responsible for a hazard category 1, 2, or 3 DOE nuclear facility must (1) develop TSRs that are derived from the DSA*: . . .

DOE G 423.1-1, *Implementation Guide for Use in Developing Technical Safety Requirements*, provides elaboration for the content of TSRs. The MOC has implemented the requirements of 10 CFR §830.205 through the WIPP CH and RH TSRs.

13.4 Nuclear Safety Noncompliance and the Price-Anderson Amendments Act of 1988

> *.... DOE may either reduce or not impose the base civil penalty of up to $110,000 per violation per day, if the MOC promptly identifies the violation and reports it to the DOE. Conversely, the DOE will not mitigate the base civil penalty if the MOC does not promptly identify and report nuclear safety violations.*

The MOC has voluntarily implemented a WIPP PAAA program to identify and self-report potential PAAA and work safety and health noncompliances. Procedures are in place at WIPP to assist personnel in determining and reporting noncompliance issues. The program uses the DOE's Price-Anderson Noncompliance Tracking System, a centralized data base, to report and track reportable PAAA nuclear safety noncompliance events. For the reporting period, the MOC has not been cited with any NOVs from the DOE Office of Enforcement (HSS-40).

14.0 ATOMIC ENERGY ACT AND THE U.S. NUCLEAR REGULATORY COMMISSION

14.1 Summary of the Law

As discussed in Section 13.0, the AEA gives the NRC its authority to develop policies, issue orders, and promulgate regulations that address environmental, safety, and health protection aspects of radioactive waste and nuclear materials in the civilian sector. Regulations promulgated by the NRC under the AEA appear in 10 CFR Chapter I and establish standards for the management of nuclear material and the protection of the public against radiation. Additional NRC requirements apply to the licensing, packaging, preparation, and transportation of radioactive materials.

14.2 Status of Compliance With the Regulatory Requirements

The WIPP Project was authorized by Section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (P.L. 96-164; 93 Stat. 1259, 1265) to demonstrate the safe disposal of radioactive waste materials generated by atomic energy defense activities. The Act exempted the WIPP Project from NRC regulatory authority. The 1992 LWA required the DOE to use NRC certified transportation packages for the transportation of TRU waste to WIPP. The NRC regulations that apply to WIPP are stated in 10 CFR Part 71, "Packaging and Transportation of Radioactive Material," and are limited to those parts applicable to design certification and fabrication QA. Compliance with the regulations and applicable parts is demonstrated by the NRC approval of the packaging applications with C of Cs. The NRC approved the packaging for transporting CH TRU waste to WIPP, which are the TRUPACT-II (C of C No. 9218, Revision 18, issued July 19, 2005) (NRC, 2005a) and the HalfPACT (C of C No. 9279, Revision 4, issued October 19, 2005) (NRC, 2005b). The NRC also approved packaging for transporting RH-TRU waste to WIPP, which are the RH-TRU 72-B Cask (C of C No. 9212, Revision 4, issued July 28, 2006) (NRC, 2006) and the CNS 10-160B (C of C No. 9204, Revision 12, issued September 26, 2007) (NRC, 2007). For purposes of this section, the term "packaging" implies the TRUPACT-II, the HalfPACT, the RH TRU 72-B Cask, and the CNS 10-160B Cask.

14.2.1 General License, 10 CFR §71.17

> *A general license is issued to any licensee of the commission to transport, or deliver to a carrier to transport, licensed material in a package for which a license, C of C, or other approval has been issued by the NRC.*

The DOE is not required to be a licensee. In addition the DOE does not ship "NRC Licensed Material" in the Type B Packages used at WIPP.

14.2.2 Exemption from Classification as Fissile Material, 10 CFR §71.15

Fissile material meeting the requirements of at least one of the paragraphs (a) through (f) of this section are exempt from classification as fissile material and from the fissile material package standards of §§71.55 and 71.59, but are subject to all other requirements of this part, except as noted.

The application for the CNS 10-160B Cask specifies that the contents are controlled to limit the amount of fissile material that may be shipped to exempted quantities. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements of 10 CFR §71.15.

14.2.3 Contents of Application and Package Description/Evaluation, 10 CFR §§71.31 Through 71.39

The required contents of an application are described. The application must include a package description/evaluation and description of the packaging and proposed contents as described in 10 CFR §71.33 and must demonstrate that the package meets the appropriate NRC standards. In addition, the QA program for the design, fabrication, assembly, testing, maintenance, repair, modification, and use of the package must be described, along with established codes and standards. Any additional information requested by the NRC must be provided.

The applications for the packaging describe the design, specifications, and safety evaluation in accordance with the NRC requirements. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.4 Demonstration of Compliance, 10 CFR §71.41

The tests specified in 10 CFR §§71.71 and 71.73 must be performed on the package to demonstrate compliance under normal conditions and hypothetical accident conditions, respectively.

The applications describe the analysis and testing to demonstrate compliance with both normal and hypothetical accident conditions of transport. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.5 Standards for All Packages, 10 CFR §§71.43 and 71.45

Standards for all packages must be met. These include general standards such as size, seals and fastening devices, materials and construction of the package, valves, temperature, and prohibition

of continuous venting during transport as well as lifting and tie-down standards.

The applications describe the packaging features, including tie-downs. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.6 External Radiation Standards for All Packages, 10 CFR §71.47

A package must be designed and prepared for shipment so that the radiation level at any external contact surface of the package does not exceed 200 mrem per hour and the transport index does not exceed 10 mrem per hour.

The applications discuss the fact that the packagings and contents limit the dose rate at the contact surface of the packaging to less than 200 mrem per hour. All packaging has a transport index that does not exceed 10 mrem per hour.

14.2.7 Additional Requirements for Type B Packages, 10 CFR §71.51

Type B packages must be designed, constructed, and prepared for shipment so as to prevent loss or dispersal of radioactive material, significant increase in external radiation levels, or substantial reduction in the effectiveness of the packaging during normal transport. In addition, release of krypton-85 may not exceed 10,000 curies in one week, release of other radioactive material may not exceed a total amount A_2 in one week, and no external radiation dose rate may exceed 1 rem per hour at 1 meter from the external surface of the package during hypothetical accident conditions. Compliance with these requirements must not be predicated upon the use of filters or of a mechanical cooling system.

The applications discuss containment design and acceptance criteria. The NRC reissuance of the C of Cs confirms that the packaging continues to meet the applicable requirements of 10 CFR §71.51.

14.2.8 Requirements for All Fissile Material Packages, 10 CFR §§71.55 Through 71.59

All packages used to ship fissile material must be designed and constructed in accordance with 10 CFR §§71.41 through 71.51. In addition, each package must be designed and constructed and its contents so limited that the contents will remain subcritical during normal and accident transportation conditions and that the packaging will remain effective during normal transportation

conditions. Specific standards for fissile material packages are described in 10 CFR §71.59.

The applications for the TRUPACT-II, the HalfPACT, and the RH-TRU 72-B Cask discuss criticality; the contents are controlled to limit the amount of fissile material that may be shipped. Fissile classes have been replaced with a Criticality Transport Index. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.9 Special Requirements for Type B Packages Containing More Than 10^5A_2, 10 CFR §71.61

A Type B package containing more than 10^5A_2 must be designed so that its undamaged containment system can withstand an external water pressure of 2 MPa (290 psi) for a period of not less than 1 hour without collapse, buckling, or in-leakage of water.

The applications for the TRUPACT-II, the HalfPACT, the RH-TRU 72-B Cask, and the CNS 10-160B Cask describe the tests performed to demonstrate compliance with this requirement. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.10 Special Requirements for Plutonium Shipments, 10 CFR §71.63

Shipments containing plutonium must be made with the contents in solid form if the contents contain greater than 0.74 TBq [terabecquerel] (20 Ci [curies]) of plutonium.

The applications for the TRUPACT-II, the HalfPACT, the RH-TRU 72-B Cask, and the CNS 10-160B Cask describe the allowable plutonium contents of the packaging. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.11 Tests Under Normal Conditions of Transport, 10 CFR §71.71

The behavior of each package design under tests and conditions simulating normal transportation conditions must be evaluated. The tests include thermal insulation for both heated and cold conditions, increased and reduced external pressure, vibration, water spray, free drop, corner drop, compressive loading, and penetration.

The applications describe the analyses and/or tests performed to demonstrate compliance with the normal conditions of transport. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.12 Tests Under Hypothetical Accident Conditions, 10 CFR §71.73

Evaluation of a package for hypothetical accident conditions is based upon the sequential application of tests in the order specified to determine their cumulative effect on a package or array of packages. Tests include free drop, crush, puncture, thermal, and immersion as specified in 10 CFR §71.73.

The applications describe the analyses and/or tests performed to demonstrate compliance with the hypothetical accident conditions of transport. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.13 Assumptions Regarding Unknown Properties, 10 CFR §71.83

When the isotopic abundance, mass, concentration, degree of irradiation, degree of moderation, or other relevant property of fissile material in a package is not known, the fissile material will be packaged as if the unknown properties have credible values that will cause the maximum neutron multiplication.

The applications limit the amount of fissile material that may be shipped in the packagings (see Subsections 14.2.2 and 14.2.8). The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.14 Special Opening Instructions, 10 CFR §71.89

Any special opening instructions must be sent or otherwise made available to the consignee prior to delivery of a package.

The operating and maintenance instructions manual provides instructions for preparation, use, operation, inspection, and maintenance of the packagings. MOC personnel have the responsibility for training of personnel at the generator sites in accordance with the manual. The MOC personnel also support the DOE in performing assessments and audits of the generator sites to ensure that WIPP-generated methods are being applied correctly. The NRC reissuance of the C of C confirms that the packaging continues to meet the applicable requirements.

14.2.15 Reports Regarding Decreased Effectiveness or Defects With Safety Significance, 10 CFR §71.95

Within 30 days, the licensee will report the following to the NRC: (1) any instance in which there was significant reduction in the effectiveness of any authorized packaging during use; (2) details of any defects with safety significance in packaging after first use and the means used to prevent recurrence; and (3) instances in which the COAs in the C of C were not observed in making a shipment.

The packaging maintenance program is defined and detailed in MOC procedures that address such topics as control of material, spare parts, and nonconformance reports. Maintenance records are maintained by the packaging maintenance engineers. No conditions causing decreased effectiveness have occurred to date. Surveillance number S-06-05 of the packaging maintenance program conducted in December 2005 by CTAC determined that all programmatic requirements for maintaining the packagings were being met adequately. In accordance with the requirements of 10 CFR Part 71, Subpart H, the next triennial surveillance assessment will be conducted in 2008.

During this reporting period, ten notifications were made to the NRC in accordance with the requirements of 10 CFR §71.95. There was no harm to human health or the environment due to these occurrences. Corrective actions have been taken to prevent recurrence of the issues identified in the notifications. A summary of the notifications are in the following table.

Date, Notification Personnel and Number	Description
June 29, 2006 Gregory to Rahimi (PK:06:011)	There was incorrect stenciling of a TP-II during annual maintenance activities. A complete verification of all CH Type B Packages in the fleet was performed to verify this as an isolated occurrence.
August 8, 2006 Gregory to Rahimi (PK:06:0015)	Payload certification documents did not reflect requirements for a 10-day controlled shipment from the Advanced Mixed Waste Treatment Project (AMWTP) to the WIPP site. A review of the applicable shipping documentation verified that the shipment was received within the required 10-day shipping period for the controlled shipment.
December 28, 2006 Gregory to Rahimi (PK:06:0029)	A ten-drum overpack (TDOP) did not have the same unique identification number listed on the applicable shipment summary report as was on the TDOP itself. A review of the documentation from the shipping site verified that one number was left off the label applied to the TDOP. Further review of the TDOP content documentation verified it as the correct TDOP.
December 28, 2006 Gregory to Rahimi (PK:06:0030)	This notification concerned the omission of the ICV seal test port plug O-ring from a TP-II prior to shipment from Savannah River Site to the WIPP site.
March 21, 2007 Sellmer to Rahimi (PK:07:00009)	The notification concerned the incorrect evaluation of the hydrogen and methane concentrations in 12 individual 55-gallon drums shipped to the WIPP site. Independent calculations of the 12 drums verified that the concentrations were well within the Package C of C limits.
May 9, 2007 Sellmer to Rahimi (PK:07:00018)	Incorrect tracer gas was used during the pre-shipment leakage rate test of a HalfPACT on a shipment from AMWTP to the WIPP site. The shipment was received without incident at the WIPP site.
June 7, 2007 Sellmer to Rahimi (PK:07:00020)	Two TP-II packages in a shipment from AMWTP to the WIPP site had the upper and lower main containment rings in the incorrect O-ring grooves. The applicable shipment documentation confirmed that both packages successfully passed the required leakage rate test prior to shipment.

Date, Notification Personnel and Number	Description
September 10, 2007 Sellmer to Rahimi (PK:07:00026)	This notification concerned a drum that was shipped from AMWTP to the WIPP site that had not been fully characterized in accordance with the package C of C requirements. A review of the drums applicable characterization data revealed that the drum did meet the package C of C requirements.
December 14, 2007 Sellmer to Rahimi PK:07:00035)	Five 55-gallon drums were shipped with the incorrect shipping category identified. A review of the applicable documentation for the identified drums confirmed that the drums met the payload requirements for the package C of C.
February 18, 2008 Sellmer to Rahimi (PK:08:00005)	This notification was related to the shipment of a TP-II from the Savannah River Site to the WIPP site that had the incorrect ICV O-ring installed in the OCA upper main O-ring groove. A review of the applicable shipping documentation verified that the TP-II successfully passed the required preshipment leakage rate test.

14.2.16 Advance Notification of Shipment of Nuclear Waste, 10 CFR §71.97

As specified in paragraphs (b), (c), and (d) of this section, each licensee shall provide advance notification to the governor of a State, or the governor's designee, of the shipment of licensed material, through, or across the boundary of the State, before the transport, or delivery to a carrier, for transport, of licensed material outside the confines of the licensee's plant or other place of use or storage.

The advance notification of shipments of nuclear waste as stated in 10 CFR §71.97 does not apply to WIPP. However, in cooperation and agreement with the states' organizations (e.g., Western Governors Association), the DOE has agreed to provide written notification of the first five shipments in a corridor fourteen days in advance. Further, the DOE will provide the states with an annual notification, including six-month updates, of the shipments planned for the coming year. The states receive the eight-week rolling schedule on a weekly basis. The eight-week rolling schedule provides the detail of the annual plan. State officials designated for receipt of information (or their designee) are provided access to TRANSCOM (the DOE Transportation Tracking and Communication System). Through TRANSCOM, the states can view the eight-week rolling schedule, detailed shipment information (shipment's operational status, the location of the shipment, messages associated with the shipment) and shipment-specific emergency response and contact information.

14.2.17 NRC Quality Assurance Requirements, 10 CFR §§71.101 Through 71.137

Subpart H of 10 CFR Part 71 (§§71.101 through 71.137) established the NRC QA requirements for packagings. The QA requirements pertain to design, purchase, fabrication, handling, shipping, storage, cleaning, assembly, inspections, testing, operation, maintenance, repair, and modification of components of

> *packaging that are important for safety. The requirements address the licensee's QA organization (§71.103); QA program (§71.105); package design control (§71.107); procurement document control (§71.109); instructions, procedures, and drawings (§71.111); document control (§71.113); control of purchased material, equipment, and services (§71.115); identification and control of materials, parts, and components (§71.117); control of special processes (§71.119); internal inspections (§71.121); test control (§71.123); control of measuring and test equipment (§71.125); handling, storage, and shipping control (§71.127); inspection, test, and operating status (§71.129); nonconforming materials, parts, or components (§71.131); corrective action (§71.133); QA records (§71.135); and audits (§71.137).*

The DOE is not required to be a licensee. The DOE does not transport NRC licensed materials. Because the DOE is a federal entity the NRC does not require the DOE to have an "NRC approved program." The NRC does expect for the DOE to perform any required oversight of the program. The WIPP Quality Assurance Program Plan for Type "B" Packaging (WP 08-PT.03) has addressed the 18 criteria specified within Annex 2 of the NRC Regulatory Guide 7.10, promulgated by the Office of Nuclear Regulatory Research (WTSf). The title of this guidance document is *Establishing Quality Assurance Programs for Packaging Used in the Transport of Radioactive Material*, Revision 2 (NRC, 2005c). The WIPP plan is reviewed and approved by the DOE; therefore, NRC approval is not required.

14.3 Status of Compliance With the Certificate of Compliance

The NRC has issued C of Cs to the DOE for the packaging as registered user. Packages are designed, fabricated, assembled, tested, procured, used, maintained, and repaired in accordance with the C of Cs.

14.3.1 Allowable Decay Heat, C of C, Page 3, 5(b)(2)

> *Decay heat per payload must not exceed the values given in the TRAMPACs (TRUPACT-II Authorized Methods for Payload Control) of the TRUPACT-II SAR (Rev. 21), the HalfPACT SAR (Rev. 4), and the RH-TRU 72-B cask SAR (Rev. 4), and the CNS 10-160B Cask SAR.* (Note: The Transuranic WAC for WIPP (Rev. 6.2) indicates that the CNS 10-160B does not require the preparation of a site-specific TRAMPAC.)

The decay heat within each payload container plus the measurement error shall be less than or equal to the decay heat limit specified in the packagings SARs. The total decay heat from all containers in a TRUPACT-II shall not exceed 40 watts. The total decay heat from all containers in a HalfPACT shall not exceed 30 watts. The total decay heat from the containers in a RH-TRU 72-B cask shall be in accordance with Section 5.2 of

the SAR. The total decay heat from all containers in a CNS 10-160B Cask shall not exceed 100 watts.

The C of C identified the TRUPACT-II, the HalfPACT, and the RH-TRU 72-B cask as a fissile material packaging, and the CNS 10-160B as a fissile-exempted packaging. Therefore, the requirements specified in 10 CFR §71.59 and 10 CFR §71.15, respectively, must be met.

The available methods for determining and controlling the physical form of the wastes are visual examination, radiography, acceptable knowledge, and sampling. The chemical properties of the waste are determined by the allowable chemical constituents within a given waste type and are restricted so that all of the payload containers are safe for handling and transport. Chemical compatibility within and between the waste and the packaging ensures that no chemical process will occur that might pose a threat to the safe transport of the payload in the packagings. The configuration of the payload container and content is controlled as described in the packagings specific to the TRAMPAC (DOE, 2003a). The CH-TRAMPAC (Rev. 2) Section 2.5 describes filter vent requirements for the authorized containers for CH packages (DOE, 2005c). The RH-TRAMPAC (Rev. 0) Section 2.4 describes filter vents for the authorized containers for the RH-TRU 72-B (DOE, 2006h). The CH-TRAMPAC Section 5.3 describes venting and aspiration requirements for CH packages and the RH-TRAMPAC Section 5.2 describes venting and aspiration requirements for the RH-TRU 72-B waste containers.

The isotopic inventory for each payload container and the fissile content are discussed in Section 3 of the TRUPACT-II and HalfPACT TRAMPACs, Section 3 of the RH-TRAMPAC, and Appendix 4.10.2 of the CNS 10-160B Cask SAR. Decay heat is discussed in Section 5 of the TRUPACT-II and HalfPACT TRAMPACs, Section 5 of the RH-TRAMPAC, and Appendix 4.10.2 of the CNS 10-160B Cask SAR.

The TRAMPACs and SARs discuss the payload shipping categories. The primary difference among the categories is their potential for gas generation and internal bagging configuration. For waste with an adequate margin of safety, an analytical prediction suffices. Wastes without such a margin of safety require testing as described in the TRAMPACs and SARs.

15.0 HAZARDOUS MATERIALS TRANSPORTATION ACT

15.1 Summary of the Law

The Hazardous Materials Transportation Act (HMTA) (49 U.S.C. §§1801, et seq.), as amended, is the major transportation-related statute that affects the DOE. The objective of the HMTA is "to improve the regulatory and enforcement authority of the Secretary of Transportation to protect the nation adequately against risks to life and property which are inherent in the transportation of hazardous materials in commerce." The HMTA provides for safe intra- and interstate transportation of hazardous materials (including nuclear materials).

The Federal Hazardous Materials Transportation Law (49 U.S.C. §§5101, et seq.) was reauthorized on October 31, 1994. This public law, which amends the HMTA, required the U.S. Department of Transportation (DOT) to set standards for designating routes for the transportation of hazardous materials that are required to be placarded, establish regulations on training standards for all hazardous materials transportation workers, issue safety permits to motor carriers for certain hazardous materials, and perform a railroad transportation safety study for certain highly radioactive materials. The DOT is also required to participate in international forums dealing with recommendations or legislation relating to mandatory standards and requirements pertaining to the transportation of hazardous materials, and to consult with interested agencies to facilitate consistency in international law with respect to hazardous materials transportation. In addition, the Hazardous Materials Transportation Uniform Safety Act (Pub. L. 101-615) requires registration and an annual registration fee for shippers and carriers of certain hazardous materials such as radioactive materials and establishes planning and training grants to the states for developing, improving, and implementing emergency plans.

Title 49 CFR Part 171, "General Information, Regulations, and Definitions," sets forth the DOT requirements that are applicable to the transportation of hazardous materials and the packaging used in the transportation of those materials.

Title 49 CFR Part 172, "Hazardous Materials Table, Special Provisions, Hazardous Materials Communications Emergency Response Information and Training Requirements," lists and classifies the materials the DOT has designated as hazardous for the purpose of transportation and describes the communications regulations that apply when those materials are shipped.

In 49 CFR Part 173, "Shippers - General Requirements for Shipments and Packagings," the DOT defines hazardous material classes for the purpose of transportation; establishes requirements in preparing materials for shipment; sets forth inspection, testing, and retesting responsibilities concerning containers built, repaired, or conditioned for use in the transportation of hazardous materials; sets forth requirements for transporting radioactive materials; classifies materials having more than one hazard; and describes criteria for instructing those responsible for preparing hazardous materials for shipment.

In 49 CFR Part 175, "Carriage by Aircraft," the DOT prescribes additional requirements to those in 49 CFR Parts 171, 172, and 173 concerning the transportation of hazardous material by air. Title 49 CFR Part 171, Subpart C, is the interface between DOT and International Air Transport Association (IATA) and the International Civil Aviation Organization (ICAO). This allows air shipments to be made under IATA/ICAO regulations that are not in conflict with DOT regulations. All air shipments from WIPP are in compliance with DOT and IATA/ICAO regulations.

In 49 CFR Part 177, "Carriage by Public Highway," the DOT sets forth requirements to promote the uniform enforcement of law to minimize danger to life and property in the transportation of hazardous materials by public highway.

Title 49 CFR Part 178, "Specifications for Packagings," describes manufacturing and testing specifications for packaging and containers used for the transportation of hazardous materials.

15.2 Status of Compliance With the Regulatory Requirements

During this reporting period, materials that were sent off-site were appropriately packaged and complied with the regulations for off-site transportation. The text gives more detail on the method of compliance with regulatory requirements under the HMTA.

15.2.1 General Requirements, 49 CFR §171.2

> *Hazardous material to be shipped must be properly classed, described, packaged, marked, labeled, and in condition for shipment*.

General requirements for the shipment of hazardous material are addressed in WP 08-NT.12, WTS Transportation Program, and implementing procedures, which identify the organizations and positions responsible for ensuring compliance with the HMTA (WTSg). The completion and certification of several worksheets (e.g., Shipping Request, Shipment Worksheet for Ground Transportation, and Shipment Worksheet for Air Transportation) ensures compliance through careful documentation of all required actions.

15.2.2 Hazardous Waste, 49 CFR §171.3

> *Requirements for the shipment of hazardous wastes include the preparation of manifests or other shipping papers, motor vehicle placarding, waste packaging, marking and labeling, and identification numbers for the generators and the transporters*.

Manifests, marking and placarding, and other labeling requirements are addressed in the transportation procedures. Completion of step-by-step worksheets and checklists ensure the proper execution of these tasks in shipping hazardous wastes from WIPP to an off-site TSDF.

15.2.3 Transitional Provisions for Implementing Certain Requirements, 49 CFR §171.14

> *Provides an orderly transition to the new requirements incorporated as part of a comprehensive revision to this subchapter based on the United Nations' Recommendations.*

Transition periods applicable to this reporting period, provided by 49 CFR §171.14, have been used by the MOC to make the necessary changes to plans and procedures; obtain required labels, markings, and placards; and to complete the necessary training to ensure compliance with new regulations.

15.2.4 Immediate Notice of Certain Hazardous Materials Incidents and Detailed Hazardous Materials Incident Reports, 49 CFR §§171.15 Through 171.16

Section 171.15 specifies the requirements of immediate notification by each carrier who transports certain hazardous materials (including hazardous wastes) and is involved in a hazardous material incident during the course of transportation. Section 171.16 specifies the requirements for the submission of a written hazardous materials incident report by the carrier.

Requirements for transportation emergency notifications are specified in the MOC transportation program. This program and MOC procedures address reportable incident and reporting requirements, including the identification of organizations and other entities that receive reports. The transportation program specifies that the MOC will request a copy of the report submitted by the carrier to the DOT. During this reporting period there were no hazardous materials incidents as defined in these regulations.

15.2.5 Table of Hazardous Materials and Special Provisions, 49 CFR §172.101

The Hazardous Materials Table designates all materials listed as hazardous for the purpose of transporting those materials.

These requirements are covered in the MOC transportation program and apply to any "... material, including its mixtures and solutions that ... is listed in Table 172.101 and/or in Appendix A to 49 CFR §172.101, 'List of Hazardous Substances and Reportable Quantities.'" Transportation engineers (TEs) are trained in the use of this table as specified in MOC procedures.

15.2.6 Shipping Papers, Subpart C, 49 CFR §§172.200 Through 172.205

This subpart describes the requirements for the provision of shipping papers by persons who offer hazardous material for transportation. The shipping papers must include a description of the hazardous material and a shipper's certification. A "bill of lading" or "hazardous waste manifest" may be used depending on the commodity being shipped. Hazardous waste manifests must be retained for three years.

Requirements concerning shipping papers, including manifests for hazardous waste and bills of lading for hazardous materials, are described in MOC procedures. Each required record is identified and defined by forms attached to these procedures. Manifests are managed in accordance with MOC procedures and are retained on-site for three years.

15.2.7 Marking, Subpart D, 49 CFR §§172.300 Through 172.338

Marking requirements for the transportation of hazardous materials or substances are described in this subpart.

According to MOC procedures for shipments originating at WIPP, the TE marks the shipment in accordance with Subpart D of 49 CFR Part 172. The driver's responsibility for maintaining the markings is stated in the MOC transportation program, implementing procedures, and in instructions provided to the driver when hazardous waste is shipped off-site.

15.2.8 Labeling, Subpart E, 49 CFR §§172.400 Through 172.450

This subpart describes the requirements for the labeling of packages or containment devices by persons who offer hazardous material for transport.

According to MOC procedures, the TE labels the containers and packages in accordance with Subpart E of 49 CFR Part 172. The driver's responsibility for maintaining the labels is stated in the MOC transportation program, implementing procedures, and in instructions provided to the driver when hazardous waste is shipped off-site.

15.2.9 Placarding, Subpart F, 49 CFR §§172.500 Through 172.560

This subpart describes the requirements for the placarding of hazardous material by persons who offer hazardous material for transport.

According to an MOC procedure, the TE ensures that the vehicle that will transport hazardous materials or waste from WIPP is properly placarded, if necessary. The driver's responsibility for maintaining the placards is stated in the MOC transportation program, MOC implementing procedures, and in instructions provided to the driver when hazardous waste is shipped off-site.

15.2.10 Emergency Response Information, Subpart G, 49 CFR §§172.600 Through 172.606

This subpart describes the requirements for the provision of emergency response information during transportation and at facilities where hazardous materials are loaded for transportation, stored incidental to transportation, or otherwise handled during any phase of transportation.

According to an MOC procedure, the TE delivers the shipping papers and the *DOT Emergency Response Guides* for the particular shipment materials to the driver and releases the shipment. These procedures specify driver actions to be taken in the event of an incident during transportation. The TE provides the Central Monitoring Room (CMR) with copies of transportation documentation. The CMR is the 24-hour emergency contact for all shipments of hazardous waste or materials.

The MOC addresses on-site emergency response in its procedures and waste management plans.

15.2.11 Training Subpart H, Federal/State Relationship, Applicability and Responsibility for Training and Testing, and Training Requirements, 49 CFR §§172.700 Through 172.702 and 172.704

Prescribes minimal training requirements for the transportation of hazardous materials and specifies requirements that hazardous materials employers as established by DOT must meet to ensure that their hazardous materials employees are trained in a systematic program. The following requirements are included: states may impose more stringent training requirements under certain conditions; the training curriculum must include general awareness and familiarization, hazardous material recognition and identification, function-specific topics, and safety and emergency response information; and current hazardous materials employee training records must be maintained and contain specific training documentation including certification of training.

WIPP employees responsible for transportation of hazardous materials must attend hazardous material transportation training courses. Through this training program, hazardous materials employees become familiar with the applicable hazardous material regulations, are able to recognize and identify hazardous materials, are knowledgeable of function-specific hazardous material regulations, and are knowledgeable of emergency response information and hazardous material communications requirements. The MOC provides each hazardous materials employee at WIPP with initial and recurrent training in accordance with established schedules. New employees, or employees who change job functions and are required to attend the training, must do so within 90 days. Until completion of their training, they may work under the direct supervision of another certified hazardous materials employee. The MOC maintains records of current training, inclusive of the preceding three years. The training records are maintained in accordance with existing requirements. The TEs have qualification cards that must be satisfactorily completed prior to the performance of work without supervision. Requalification is required every two years.

15.2.12 Shippers-General Requirements for Shipments and Packaging, 49CFR Part 173

This part includes the requirements for preparing hazardous materials for shipment by air, highway, rail, or water and definitions and classifications of hazardous materials for transportation purposes.

MOC procedures encompass the requirements of these sections. WIPP shipments are evaluated and prepared by an MOC TE to ensure that these requirements are met.

15.2.13 Preparation of Hazardous Materials for Transportation, Subpart B, 49 CFR §§173.21 Through 173.40

This subpart describes the general requirements for the preparation of hazardous materials for transportation. The shipper's responsibilities are described and include the hazard classification and description of hazardous material and the determination that the packaging or container is an authorized packaging and that it has been manufactured, assembled, and marked properly.

According to MOC procedures, the MOC's Transportation Operations Section is responsible for ensuring that materials are packaged, marked, and labeled in accordance with applicable hazardous materials transportation requirements in 49 CFR. Personnel packaging hazardous materials are familiar with the packaging requirements for these materials, commensurate with the complexity of the packaging and the degree, nature, and quantity of hazard.

15.2.14 Definitions, Classification, and Packaging for Class 1 Materials, Subpart C, 49 CFR §§173.50 Through 173.63

Definitions, classifications, and requirements for packaging of Class 1 materials (explosives) are described.

The TE classifies and packages Class 1 material for shipment in accordance with MOC procedures.

15.2.15 Definitions, Classification, Packaging Group Assignments, and Exceptions for Hazardous Materials Other than Class 1 and Class 7, Subpart D, 49 CFR §§173.115 Through 173.156

Definitions, classifications, packing group assignments, and exceptions for hazardous materials, including flammable, nonflammable, poisonous and nonpoisonous gases, flammable liquids and solids, and toxic material are specified.

Applicable MOC procedures include worksheets for ground and air shipments. Actions required for the classification and packaging of hazardous materials are included in these worksheets.

15.2.16 Non-Bulk Packaging for Hazardous Materials Other than Class 1 and Class 7, Subpart E, 49 CFR §§173.158 Through 173.229

Non-bulk packaging requirements for hazardous materials other than Class 1 and Class 7 materials are described. Specific requirements are described in 49 CFR §§173.158 through 173.198 for nitric acid; wet batteries; corrosive nonexplosive smoke bombs;

chemical kits; gallium; hydrogen fluoride; mercury; smokeless powder for small arms; aircraft hydraulic power unit fuel tanks; paint, paint-related material, adhesives and ink; refrigerating machines; liquid pyrophoric materials; barium azide; nitrocellulose-based film; highway or rail fuses; lithium batteries and cells; matches; pyrophoric solids, metals, or alloys; white or yellow phosphorus; certain Group 1 poisonous materials; mixtures of bromoacetone, methyl bromide, chloropicrin, and methyl chloride or of chloropicrin and methyl chloride or of chloropicrin and compressed gas; hydrogen cyanide; infectious substances; and nickel carbonyl. [List not all-inclusive. Refer to actual regulations for complete list.]

MOC procedures direct the TE to classify each shipment using the information provided in the shipping request by completing a shipment worksheet. If required, the requester and/or the TE obtain additional information to classify the shipment properly. Based on this information, the TE determines the packaging requirements.

15.2.17 Class 7 (Radioactive) Materials, Subpart I, 49 CFR §§173.401 Through 173.476

This subpart sets forth requirements for the transportation of radioactive materials by carriers and shippers and includes requirements for package design, package testing, empty radioactive materials packaging, and NRC-approved packages.

The SARs and TRAMPACs for both CH TRU and RH TRU waste control the packaging and shipment of radioactive waste to WIPP. These documents also define how packaging requirements are determined, including verification that the quantity and form of material to be shipped meet the requirements of the C of Cs and/or tested parameters of the intended package.

MOC TEs receive and ship radioactive materials in accordance with DOT regulations using MOC procedures.

15.2.18 Carriage by Aircraft, 49 CFR Part 175

This part describes requirements that must be observed with respect to the transportation of hazardous materials by aircraft. Included are provisions relating to unacceptable hazardous materials shipments; acceptance and inspection of shipments; discrepancy reports; notification of the pilot in command; shipping papers; keeping and replacement of labels; reporting hazardous materials incidents; quantity limitation; orientation, securing, and location of cargo containing hazardous materials; compatibility of packages; damaged shipments; and specific regulations applicable according to the classification of the material, including special

limitations and requirements for Class 7 (i.e., radioactive) materials.

An MOC procedure provides guidance for shipping hazardous materials by air. Hazardous materials shipped by air from WIPP are in accordance with the IATA, ICAO, and 49 CFR §171, Subpart C. The transportation of hazardous waste by air transport is prohibited.

15.2.19 General Information and Regulations, Subpart A, 49 CFR §177.800; Driver Training, 49 CFR §177.816; and Routing of Class 7 (Radioactive) Materials, Subpart D, 49 CFR Part 397

These sections set forth requirements for training, including the following: a carrier may not transport or cause to be transported hazardous material by motor vehicle unless each of its hazardous materials employees has received the appropriate specialized training. Each of the carrier's hazardous materials drivers must have the appropriate state-issued commercial driver's license with the proper endorsement. Drivers transporting a Class 7 Highway Route Controlled Quantity of (radioactive) materials must have received written training within the previous two years and must have in their immediate possession a certificate of training that includes a proper statement of authentication.

Transportation of radioactive waste and hazardous waste to and from WIPP has been by contract carrier. The carrier's employees are properly trained, and their records include all certification information. The carrier's drivers all possess a commercial driver's license with a hazardous material endorsement, and each is trained and certified to transport highway route controlled-quantity radioactive materials. In addition, the MOC has a motor carrier program plan for the local transport of empty packaging and miscellaneous hazardous materials.

15.2.20 Specifications for Packagings, 49 CFR Part 178

This part contains prescribed manufacturing and testing specifications and inspection requirements for packaging and for containers used for the transportation of hazardous materials.

WIPP QA procedures define the methodology by which specified criteria are verified. The CH-TRU Type B Packages and RH-TRU Type B Packages have been developed to transport TRU waste to WIPP from the generator sites. The WIPP WAC require packaging that meet the requirements of DOT Specification 7A Type A for WIPP storage and disposal. Packaging purchased for the transport of hazardous materials from WIPP receives a QA review beginning with the purchase order and completed with acceptance of packaging for use. The MOC's TEs use an MOC procedure worksheet to specify the performance-oriented packaging necessary to satisfy packaging requirements for each shipment of hazardous materials from WIPP.

16.0 MATERIALS ACT OF 1947

16.1 Summary of the Law

The Materials Act of 1947 (30 U.S.C. §§601, et seq.) establishes policy that directs the U.S. Department of the Interior (DOI) Bureau of Land Management (BLM) to prescribe rules and regulations for the disposal of mineral material resources (including, but not limited to, sand, stone, gravel, pumice, cinders, and clay) on public lands under the BLM's jurisdiction at fair market value while ensuring that adequate measures are taken to protect the environment and to minimize damage to public health and safety during the authorized removal of such minerals. Under the act, no mineral material shall be disposed of if the Secretary of the DOI determines that the aggregate damage to public lands and resources would exceed the benefits to be derived from the proposed sale or free use of the material.

The policy of the Materials Act of 1947 is addressed in the LWA. In the LWA, the DOE was given authority and responsibility for the management of the withdrawn land at WIPP and the disposal of mined salt consistent with Sections 2 and 3 of the Materials Act of 1947. The LWA directs the DOE to produce a WIPP land management plan to address the disposal of salt tailings in accordance with Sections 2 and 3 of the Materials Act of 1947.

16.2 Status of Compliance With the Regulatory Requirements

During this reporting period, no salt was disposed of under the auspices of the Materials Act.

17.0 FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976

WIPP manages its properties (e.g., surface realty components) in accordance with the LWA and the WIPP *Waste Isolation Pilot Plant Land Management Plan* (LMP) (DOE/WIPP-93-004) (DOE, 2004b) to include concurrent memoranda and agreements with participating state and federal agencies.

17.1 Summary of the Law

One of the objectives of the Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. §§1701-1785) is to ensure that:

> *. . . public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use.*

Title II under FLPMA, *Land Use Planning; Land Acquisition and Disposition*, directs the Secretary of the Interior to prepare and maintain an inventory of all public lands and to develop and maintain, with public involvement, land-use plans regardless of whether subject public lands have been classified as withdrawn, set aside, or otherwise designated. Under Title V, *Rights-of-Way*, the Secretary of the Interior is authorized to grant, issue, or renew rights-of-way over, upon, under, or through public lands.

The policy and commitment of the FLPMA are addressed in the LWA. The LWA gave the DOE authority and responsibility for the management of the withdrawn land consistent with FLPMA, the LWA, and other applicable laws such as the Public Rangelands Improvement Act and the Taylor Grazing Act (see also Sections 18.0 and 19.0, respectively). The LWA directed the DOE to produce an LMP to provide for grazing, hunting and trapping, wildlife habitat, the disposal of salt tailings, and mining, consistent with the applicable implementing regulations of FLPMA and the LWA, as appropriate. The LMP was last updated in June 2004 (DOE, 2004b).

A process was established in the implementing regulations of 43 CFR Part 1600, "Planning, Programming, Budgeting," for the development, approval, maintenance, amendment, and revision of resource management plans for public lands administered by the BLM. This part states that the objective of resource management planning is to guide and control future management actions and the development of subsequent more detailed and limited scope plans for resources and uses consistent with the principles of Title II of FLPMA. To the extent it is consistent with WIPP's mission, the DOE must develop and maintain a LMP consistent with the processes and requirements for resource management plans as described in these regulations.

Other regulations implementing FLPMA established procedures for the orderly and timely processing of applications, grants, permits, amendments, assignments, and terminations for rights-of-way and permits over, upon, under, or through public lands. In particular, 43 CFR Part 2800, "Rights-of-Way, Principles and Procedures," provides guidelines for the use of right-of-way and temporary-use permit areas and establishes requirements for the submission and processing of right-of-way grant/reservation and temporary-use permit applications. These regulations remain applicable to WIPP because of the necessity to establish rights-of-way for the construction and phased operation of this facility.

17.2 Status of Compliance With the Regulatory Requirements

The text provides more detail on the compliance status of each FLPMA requirement. It should be noted that the LWA has limited the DOE's compliance with FLPMA, and other applicable laws to the extent such compliance is consistent with the LWA and with WIPP-related uses of the withdrawn land. As such, it is up to the Secretary of Energy, in consultation with the Secretary of the Interior, to determine applicability as necessary and appropriate.

17.2.1 Resource Management Planning Guidance, 43 CFR §1610.1

Guidance in preparing resource management plans may be provided to the District and Area BLM Managers by the Director and state Director of the BLM.

The LMP was prepared for the DOE by its MOC with considerable input from the BLM. No changes to the plan occurred during this reporting period.

17.2.2 Public Participation, 43 CFR §1610.2

The public shall be provided an opportunity to review and comment on land management plans.

Public meetings were held in Carlsbad and Hobbs, New Mexico, and members of the public were given 30 days to review and comment on the LMP. A copy of the draft plan was also sent to stakeholders and public officials for their review. The comments obtained were incorporated, as appropriate, into the final document.

17.2.3 Consistency of Management Plans, 43 CFR §1610.3-2

Land-use plans shall be consistent with the purposes, policies, and programs of federal laws and regulations that apply to public lands.

As a requirement of the LWA, the LMP was developed for the withdrawal area consistent with FLPMA. The plan was drafted by the DOE and its MOC in consultation with the BLM and the state of New Mexico and was submitted to Congress in October 1993.

17.2.4 Common Terms and Conditions of Right-of-Way Reservations and Temporary-Use Permits, 43 CFR §2801.2(a)

By accepting a right-of-way reservation or a temporary-use permit, the applicant agrees and consents to comply with the following terms and conditions in addition to those terms and conditions that are specified in the reservation(s) or permit(s). The common terms and conditions are:

- *To comply with all applicable state and federal laws and the implementing regulations to the extent practicable;*
- *To protect employees and applicants for employment who will be or are involved in the construction, operation, maintenance, and termination of the authorized use against discrimination because of race, creed, color, sex, or national origin and to ensure that all subcontracts include an identical provision;*

- *To rebuild and repair roads, fences, and established trails that may be destroyed or damaged by the construction, operation, or maintenance of the project and to build and maintain suitable crossings for existing roads and significant trails that intersect the project; and*

- *To prevent and suppress fires on or in the immediate vicinity of the right-of-way areas.*

Compliance with applicable state and federal laws and their implementing regulations is discussed throughout this document (see the specific regulations and the compliance status section of each for more detailed information).

The DOE and its contractors have a nondiscrimination policy in effect for their employees and for hiring. In addition, contracts and subcontracts awarded by the DOE and by its contractors include such a nondiscrimination clause.

Any roads, fences, or established trails destroyed or damaged by the construction, operation, or maintenance of any of the structures for which the DOE has received a right-of-way reservation or temporary-use permit for WIPP are repaired as required.

The MOC maintains fire-fighting equipment at WIPP. Some WIPP emergency response personnel are trained in fire-fighting methods. The DOE has an agreement with outside fire departments to provide fire-fighting services at WIPP if necessary.

17.2.5 Conditions to be Incorporated Within all Right-of-Way Reservations and Temporary-Use Permits, 43 CFR §2801.2(b)

All right-of-way reservations and temporary-use permits must contain requirements to ensure:

- *Restoration, revegetation, and curtailment of land erosion;*

- *Compliance with applicable air- and water-quality standards;*

- *Protection of scenic, aesthetic, cultural, and environmental values as well as federal property and public health and safety;*

- *Protection of the interests of local inhabitants who rely on the fish, wildlife, and biota of the area for subsistence;*

- *Maintenance and operation of facilities on the prescribed location in a manner that is consistent with the reservation or permit; and*

- *Compliance with any state standards for public health and safety; environmental protection; and siting, construction, operation, and maintenance that are more stringent than the federal standards.*

Each area that is the subject of a right-of-way reservation will be reclaimed and revegetated as described in the LMP.

Compliance with applicable air- and water-quality standards is discussed in Sections 6.0, 7.0, 8.0, 28.0, 29.0, and 30.0 of this BECR (see these sections for more specific information pertaining to the air- and water-quality standards).

Protection of scenic, aesthetic, cultural, and environmental values was addressed in the FEIS and the SEIS-I. A second SEIS was prepared to address disposal of TRU waste at WIPP; the LMP; and the Joint Powers Agreement between the DOE, the state of New Mexico, and other regulatory agencies (DOE, 1997b). Any changes in previous values or the potential impact of WIPP operations on those values are addressed in the LMP.

The people who live in the vicinity of the WIPP facility are ranchers. There are no local inhabitants who rely on locally captured fish and wildlife of the area for subsistence. Various sections in this report and the LMP describe activities that protect these interests.

Each "facility" (road, pipeline, railroad, etc.) is maintained and operated in accordance with the stipulations provided in the respective right-of-way reservation (see Subsection 17.3 below for more specific information). Standards or permit conditions imposed by the state are being met.

17.2.6 Requirements for Applications for Right-of-Way Reservations and Temporary-Use Permits, 43 CFR §2802.2

Parties seeking a right-of-way reservation or temporary-use permit involving the use of public lands shall file an application for the reservation or permit with either the Area Manager, the District Manager, or the State Director having jurisdiction over the affected public lands.

To date, several right-of-way reservations and land-use permits have been granted to the DOE; they are discussed in Subsection 17.3.2.

17.3 Status of Compliance With the Permit Conditions

The following text provides more detail on the compliance status of each right-of-way reservation or temporary-use permit awarded to WIPP by the BLM.

17.3.1 Common Conditions of the Right-of-Way Reservations

Several conditions are common to the right-of-way reservations awarded to WIPP by the BLM. These common conditions are:

(1) That the subject of the reservation be under the control and jurisdiction of the DOE;

(2) That right of access and use is reserved to DOE personnel and those authorized by the DOE and to BLM personnel and their authorized permittees, licensees, and lessees;

(3) That any products or resources on lands within the right-of-way remain under the jurisdiction of the issuing agency;

(4) That applicable regulations under 43 CFR Part 2800 be followed; and

(5) That reclamation seeding requirements align with BLM standards and guidelines for the Carlsbad Resource Area.

The subjects of each of the right-of-way reservations are under the control and jurisdiction of the DOE. Right of access and use of structures is reserved to the DOE and the BLM and their authorized personnel, permittees, licensees, and lessees.

The LWA transferred administrative responsibility for WIPP lands from the DOI to the DOE. These lands were also withdrawn from all forms of entry, appropriation, and disposal under the public land laws, including the mineral leasing laws (subject to existing, valid rights).

The applicable portions of 43 CFR Part 2800 and the compliance status of each are described in Subsections 17.2.4 through 17.2.6 above.

Reclamation of disturbed areas is an ongoing activity at WIPP and is performed as described in the LMP. Seeding is conducted in accordance with the requirements established by the BLM Roswell District for the Carlsbad Resource Area.

17.3.2 Right-of-Way Reservations

The DOE constructed the facilities for each specific right-of-way reservation as stipulated by the reservation and continues to comply with standard stipulations. The status of each reservation is indicated in the table below.

Summary of Active Right-of-Way Reservations and Concurrences for the Waste Isolation Pilot Plant
March 31, 2008

	Granting Agency	Type of Permit	Permit Number	Granted/ Submitted	Expiration	Current Permit Status
1	BLM	Right-of-Way for South Access Road	NM46130	8/17/1981	8/17/2031	Active
2	BLM	Right-of-Way for Water Pipeline	NM53809	08/17/1983	In Perpetuity	Active
3	BLM	Right-of-Way for the North Access Road	NM55676	08/24/1983	In Perpetuity	Active
4	BLM	Right-of-Way for Railroad	NM55699	09/27/1983	In Perpetuity	Active
5	BLM	Right-of-Way for 20 radiological stations, 2 aerosol samplers and 1 weather monitor	NM063136	7/03/1986	7/02/11	Active
6	BLM	Right-of-Way for Subsidence Monuments	NM65801	11/07/1986	In Perpetuity	Active
7	BLM	Right-of-Way for Aerosol Sampling Site	NM77921	08/18/1989	08/18/19	Active
8	BLM	Right-of-Way for 2 Survey Monuments	NM82245	12/13/1989	12/13/19	Active
9	BLM	Right-of-Way for telephone cable	NM46092	07/03/1990	09/04/11	Active
10	BLM	Right-of-Way for SPS Powerline	NM43203	02/20/1996	10/19/11	Active
11	BLM	Right-of-Way for South Access Road Fence	NM94304	3/15/1995	In Perpetuity	Active
12	BLM	Right-of-Way for Duval telephone line	NM60174	11/06/1996	03/08/15	Active
13	BLM	Right-of-Way for Wells AEC-7 and AEC-8	NM108365	08/30/2002	08/30/32	Active
14	BLM	Right-of-Way for ERDA-6	NM108365	08/30/02	08/30/32	Active
15	BLM	Right-of-Way for Well C-2756 (P-18)	NM108365	08/30/02	08/30/32	Active
16	BLM	Right-of-Way for Monitoring Well C-2664 (Cabin Baby)	NM107944	04/23/02	04/23/32	Active
17	BLM	Right-of-Way for Seismic Monitoring Station(Antelope Ridge)	NM85425	09/23/1991	11/27/21	Active
18	BLM	Right-of-Way for Wells C-2725 (H-4A), C-2775 (H-4B), and C-2776 (H-4C)	NM108365	08/30/02	08/30/32	Active
19	BLM	Right-of-Way for Monitoring Wells C-2723 (WIPP-25), C-2724 (WIPP-26), C-2722 (WIPP-27), C-2636 (WIPP-28), C-2743 (WIPP-29), and C-2727 (WIPP-30)	NM108365	08/30/02	08/30/32	Active
20	BLM	Right-of-Way easement for accessing state trust lands in Eddy and Lea Counties	NM25430	09/28/04	09/28/14	Active
21	BLM	Right-of-Way easement for WIPP well bore SNL-2	NM109174	04/15/03	04/15/33	Active
22	BLM	Right-of-Way easement for WIPP well bore SNL -9	NM109175	04/15/03	04/15/33	Active
23	BLM	Right-of-Way easement for WIPP well bore SNL-12	NM109176	04/15/03	04/15/33	Active
24	BLM	Right-of-Way easement for WIPP well bore SNL-1 (access road)	NM109177	06/17/03	06/17/33	Active
25	BLM	Right-of-Way easement for WIPP well bore SNL-11 and access road	NM110735	10/17/03	10/17/33	Active
26	BLM	Right-of-Way easement for WIPP well bore SNL-5 and access road	NM110735	10/17/03	10/17/33	Active

Summary of Active Right-of-Way Reservations and Concurrences for the Waste Isolation Pilot Plant
March 31, 2008

	Granting Agency	Type of Permit	Permit Number	Granted/ Submitted	Expiration	Current Permit Status
27	BLM	Right-of-Way reservation amendment for SNL-13 and SNL-14	NM108365	1/25/05	8/30/32	Active
28	BLM	Right-of-Way reservation amendment for SNL-6, SNL-8 and SNL-15	NM108365	3/15/05	8/30/32	Active
29	BLM	Right-of-Way Grant SNL-16/SNL-17	NM108365	12/21/05	08/30/32	Active
30	DOE/BLM	Right-of-Way Grant Valor Telecom	NM113339	08/09/05	12/31/34	Active
31	BLM	Right-of-Way Grant SNL-18 and SNL-10	NM115315	03/21/06	12/31/35	Active

18.0 PUBLIC RANGELANDS IMPROVEMENT ACT

18.1 Summary of the Law

Congress has recognized that vast segments of public rangelands produce less than their potential for livestock, wildlife habitat, recreation, forage, and water and soil conservation benefits. The 1978 Public Rangelands Improvement Act (43 U.S.C. §§1901, et seq.) was enacted to address the concerns that such rangelands could remain in such an unsatisfactory condition and that some areas could decline further under existing levels of management.

With the passage of this act, Congress reaffirmed a national policy and commitment to:

- Inventory and identify current public rangeland conditions and trends;
- Manage, maintain, and improve the condition of public rangelands so that they become as productive as is feasible; and
- Continue the policy of protecting wild free-roaming horses and burros while facilitating the removal and disposal of excess wild free-roaming horses and burros that pose a threat to themselves, their habitat, and other rangeland values.

The LWA transferred jurisdiction over, and statutory authority and responsibility for, the management of the withdrawn lands at WIPP from the DOI to the DOE. Section 4 of the LWA, Establishment of Management Responsibilities, directs the DOE to conduct the management of grazing consistent with the Public Rangelands Improvement Act, the Taylor Grazing Act (Section 19.0), and Title IV, "Range Management," of the FLPMA (Section 17.0).

The implementing regulations of 43 CFR Part 4100, "Grazing Administration - Exclusive of Alaska," provide uniform guidance for the administration of grazing on public lands. According to 43 CFR §4100.0-2:

> *The objectives of these regulations are to promote healthy sustainable rangeland ecosystems; to accelerate restoration and improvement of public rangelands to properly functioning conditions; to promote the orderly use, improvement and development of the public lands; to establish efficient and effective administration of grazing of public rangelands; and to provide for the sustainability of the western livestock industry and communities that are dependent upon productive, healthy public rangelands. These objectives shall be realized in a manner that is consistent with land use plans, multiple use, sustained yield, environmental values, economic and other objectives stated in the Taylor Grazing Act of June 28, 1934, as amended (43 U.S.C. §315, 315a-315r); Section 102 of the FLPMA and the*

Public Rangelands Improvement Act of 1978
(43 U.S.C. §1901[b][2]).

18.2 Status of Compliance With the Regulatory Requirements

The text discusses the compliance status of the Public Rangelands Improvement Act requirements in more detail.

18.2.1 Land Use Plans, 43 CFR §4100.0-8

Grazing on administered public lands shall be managed under the principle of multiple use and sustained yield and must be in accordance with the applicable land-use plan.

In accordance with the LWA and as addressed in the LMP, the DOE's intent is to continue current range-management practices with no immediate changes. Grazing will continue on the withdrawn lands as it has since the inception of the WIPP Project. As indicated in the LMP, the BLM will administer all range management activities in accordance with the MOU (LMP Appendix C) between the DOE and the BLM.

19.0 TAYLOR GRAZING ACT

19.1 Summary of the Law

The Taylor Grazing Act of 1934 (43 U.S.C. §§315, et seq.) was enacted by Congress for the purpose of establishing a means for federal management of public lands used for grazing. The intent of Congress was to define grazing rights and to protect these rights by regulation. This act is intended to prohibit injury to public grazing lands from unregulated grazing and directs the orderly use of and improvement to public grazing lands by establishing grazing districts and a grazing permit system.

The LWA withdrew public lands and transferred jurisdiction over WIPP site lands from the DOI to the DOE. As a result of the LWA, the DOE was given statutory authority and responsibility for the management of the withdrawn land consistent with FLPMA (see Section 17.0), the LWA, and other applicable laws such as the Taylor Grazing Act. Under the LWA, the DOE may allow grazing to continue where it was established before the enactment of the LWA, consistent with the applicable implementing regulations of the Taylor Grazing Act, 43 CFR Part 4100, "Grazing Administration - Exclusive of Alaska". As indicated in the LMP, the BLM continues to administer the grazing permit program and to collect the grazing fees. The WIPP Land Withdrawal Area affects two grazing allotments (i.e., land designated and managed for the grazing of livestock).

The implementing regulations of 43 CFR Part 4100 provide uniform guidance for the administration of grazing on public lands, exclusive of Alaska. The objectives of these regulations are as follows: orderly use, improvement, and development of public grazing lands; enhancement of grazing land productivity by the prevention of overgrazing and soil deterioration; stabilization of the livestock industry dependent upon

the public range; and provision of inventory and categorization of public rangelands on the basis of range conditions and trends. These objectives must be consistent with land-use plans, multiple-use, sustained yield, environmental values, and other general objectives as stated by the Taylor Grazing Act.

19.2 Status of Compliance With the Regulatory Requirements

The text gives more detail on the compliance status of each requirement under the Taylor Grazing Act.

19.2.1 Land Use Plans, 43 CFR §4100.0-8

> *Grazing on public lands shall be managed under the principles of multiple use and sustained yield in accordance with applicable land-use plans.*

As indicated in the LMP, the BLM will administer the range management activities in accordance with the MOU between the DOE and the BLM. Under the MOU, "The DOE agrees to retain responsibility for grazing management decisions affecting the two grazing allotments within the land withdrawal area" (LMP, Appendix C, p. C-3).

19.2.2 Allotment Management Plans, 43 CFR §4120.2

> *An allotment management plan shall be prepared in careful and considered consultation, cooperation, and coordination with BLM personnel, the landowners involved, the district grazing advisory board, and any other affected interests.*

The WIPP Land Withdrawal Area affects two grazing allotments administered by the BLM: the Livingston Ridge and Antelope Ridge. Portions of both allotments lie within the Land Withdrawal Area. The WIPP surface facilities are contained within an area of 300 acres within the Antelope Range allotment that is posted against trespass and fenced to prevent grazing. The 277-acre DOE Exclusive Use Area and 23 additional acres set aside for reclamation sites, storage yards, etc., are the only portions of the Land Withdrawal Area not currently used for livestock activity.

As indicated in the LMP, the BLM will administer the range management activities in accordance with the MOU between the DOE and the BLM. Under the MOU, "The DOE agrees to retain responsibility for grazing management decisions affecting the two grazing allotments within the land withdrawal area." (LMP, Appendix C, p. C-3).

20.0 BALD AND GOLDEN EAGLE PROTECTION ACT

20.1 Summary of the Law

The Bald and Golden Eagle Protection Act (16 U.S.C. §668-668d) makes it unlawful to take (i.e., capture, kill, or destroy), possess, molest, or disturb bald eagles and golden eagles, alive or dead, their nests, or their eggs anywhere in the United States.

The regulations in 50 CFR Part 13, "General Permit Procedures," provide uniform rules, conditions, and procedures for the application for, and the issuance, denial, suspension, revocation, and general administration of, all permits issued pursuant to 50 CFR Subchapter B. The provisions in this part are in addition to other regulations, and apply to all permits issued under these regulations, including 50 CFR Part 22.

The import, export, purchase, sale, and or barter of bald or golden eagles, their parts, nests, or eggs are not permitted by any regulation of Subchapter B. The purpose of the regulations in 50 CFR Part 22, "Eagle Permits," is to govern the taking, possession, and transportation of bald and golden eagles for scientific, educational, and depredation-control purposes and for the religious purposes of Indian tribes.

20.2 Status of Compliance With the Regulatory Requirements

During this reporting period, no bald or golden eagles nested within the WIPP Land Withdrawal Area; however, individual eagles overwinter on WIPP lands. Overwintering eagles are provided considerations during determinations of all land-use actions. WIPP personnel will file an application for an eagle permit as required if the need for such a permit is perceived.

21.0 MIGRATORY BIRD TREATY ACT

21.1 Summary of the Law

The Migratory Bird Treaty Act (16 U.S.C. §§703 through 712) is intended to protect birds that have common migratory flyways between the United States and Canada, Mexico, Japan, and Russia. A migratory bird means any bird that belongs to a species listed in 50 CFR §10.13. The act makes it unlawful "at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, or attempt to take, capture, or kill . . . any migratory bird, any part, nest, or eggs of any such bird" unless specifically authorized by the Secretary of the Interior by direction or through regulations permitting and governing these actions.

The regulations in 50 CFR Part 13, "General Permit Procedures," provide uniform rules, conditions, and procedures for the application for and the issuance, denial, suspension, revocation, and general administration of all permits issued pursuant to 50 CFR Subchapter B.

The regulations in 50 CFR Part 21, "Migratory Bird Permits," supplement the general permit regulations with respect to permits for the taking, possession, transportation, sale, purchase, barter, importation, exportation, and banding or marking of migratory birds.

21.2 Status of Compliance With the Regulatory Requirements

Hunting privileges for the public within the WIPP Land Withdrawal Area will continue except for the areas that are posted against trespass. Routine inspections of equipment on the WIPP site are performed during the nesting season to monitor for early signs of nesting and to remove nesting materials before a nest can be established or tag out equipment in which birds have made a home.

In 2006, one nest of roadrunner eggs was transferred to a licensed wildlife rehabilitation clinic after consultation and approval by the United States Fish and Wildlife Service (USFWS, 2006). The eggs successfully hatched, but the fledglings did not survive.

During 2007, WIPP obtained a Migratory Bird Special Purpose Permit which allows for the relocation of certain bird species that are found nesting on equipment and could be in danger due to routine operations. In July of 2007, a mourning dove egg and nest were removed from a trailer jockey located in the WIPP parking lot. The USFWS was informed prior to the activity taking place and the subsequent action was reported on the Migratory Bird Annual Report for 2007.

No other activities involving migratory birds took place at WIPP during the reporting period.

22.0 ENDANGERED SPECIES ACT

22.1 Summary of the Law

The Endangered Species Act (ESA) was enacted in 1973 to prevent the extinction of certain species of animals and plants. This act provides strong measures to help alleviate the loss of species and their habitats and places restrictions on a wide range of activities involving endangered and threatened animals and plants to help ensure their continued survival. With limited exceptions, this act prohibits activities that could potentially impact these protected species unless authorized by a permit from the USFWS. Under Section 1536 of the act and the implementing regulations in 50 CFR Part 402, "Interagency Cooperation-Endangered Species Act, as Amended," the EPA is prohibited from authorizing activities likely to jeopardize the continued existence of any threatened or endangered species or its critical habitat. A biological assessment and "formal consultation," followed by the issuance of a "biological opinion" by the USFWS, may be required for any species that is determined to be in potential jeopardy.

The regulations in 50 CFR Part 13, "General Permit Procedures," provide uniform rules, conditions, and procedures for the application for and the issuance, denial, suspension, revocation, and general administration of all permits issued pursuant to

50 CFR Subchapter B. The provisions in this part are in addition to other regulations and apply to all permits issued under them, including 50 CFR Parts 17 and 22.

The regulations of 50 CFR Part 17, "Endangered and Threatened Wildlife and Plants," implement the ESA. The regulations in this part outline the requirements for permits for activities involving endangered wildlife and identify those species of wildlife and plants recognized as endangered or threatened with extinction.

22.2 Status of Compliance With the Regulatory Requirements

To ensure that WIPP environmental protection programs were current in their consideration of sensitive and protected species, the *Waste Isolation Pilot Plant Threatened and Endangered Species Survey*, DOE/WIPP-97-2228 (DOE, 1996b), was conducted from August to November 1996. No threatened or endangered species were found within the WIPP Land Withdrawal Area boundaries during the 1996 survey. Consequently, no current activities impacting endangered species are conducted at WIPP. No permits, biological assessments, or formal consultations are required.

Although there are no known species of plants or animals at the WIPP site that are protected by the ESA, the Lesser Prairie Chicken, a candidate for listing under the act, does have favorable habitat within the WIPP Land Withdrawal Area and other surrounding areas affected by WIPP operational activities (e.g., drilling boreholes). WIPP adheres to established BLM timing restrictions for protection of the Lesser Prairie Chicken when performing off-site field activities.

23.0 NATIONAL HISTORIC PRESERVATION ACT

23.1 Summary of the Law

The National Historic Preservation Act (NHPA) (16 U.S.C. §§470, et seq.) was enacted to protect the nation's cultural resources in conjunction with the states, local governments, Indian tribes, and private organizations and individuals. The act also established the National Register of Historic Places (National Register). At the state level, the State Historic Preservation Officer (SHPO) coordinates the state's participation in implementing the NHPA. The NHPA was last amended in 2000.

Section 106 of NHPA requires that a federal agency head who has jurisdiction over a federal, federally assisted, or federally licensed undertaking take into account the effects of the agency's undertaking on historic properties included in or eligible for the National Register. This is accomplished through consultation among the federal agency, the SHPO, and other interested parties during the early stages of planning.

Section 110 of the NHPA requires each federal agency to provide a program to protect and preserve historic properties and is implemented through regulations at 36 CFR Part 800, "Protection of Historic Properties." The regulations require development of a treatment plan by a federal agency that identifies historic properties

likely to be discovered during the implementation of an undertaking and how they will be managed.

Since 1976, cultural resource investigations have recorded 60 archaeological sites and 91 isolated occurrences within the 16-square-mile WIPP site boundary. The exact number of sites within the WIPP site boundary was confirmed with the completion of a comprehensive archaeological database created in July 1994.

In 1997, the DOE officially entered into a Joint Powers Agreement with agencies from the state of New Mexico (DOE, 1997b). One of the participating agencies is the SHPO. Commitments by both agencies are established in the agreement with regard to notification time lines. In addition, the agreement reiterates the DOE obligation to manage cultural resources in accordance with Sections 106 and 110 of the National Historic Preservation Act, the Archaeological Resource Protection Act, Native American Graves Protection and Repatriation Act, and applicable DOE orders.

23.2 Status of Compliance With the Regulatory Requirements

The text summarizes the regulatory requirements and their compliance status under the NHPA.

23.2.1 Assessment of Adverse Effects, 36 CFR §800.5

> *In consultation with the SHPO, the federal agency official with jurisdiction over an undertaking is responsible for assessing the effect of an undertaking on affected historic properties, obtaining the SHPO's concurrence when the effect is not considered adverse, and notifying and submitting summary documentation to the Council.*

The DOE submitted documentation to the New Mexico SHPO describing excavation activities and the avoidance of any potential historical sites. A determination of No Adverse Effect from WIPP activities on historic properties was made by the SHPO in May 1980. This determination was applicable for the primary construction activities associated with the development of WIPP. Since the 1980 determination, the DOE has evaluated minor construction activities in previously undisturbed areas for potential impacts to cultural resources. New surface disturbing activities are evaluated by a licensed, permitted archaeologist and concurrence is obtained from the SHPO prior to allowing the action to proceed.

23.2.2 Document Standards, 36 CFR §800.11

> *After a determination by the federal agency official presiding over an undertaking that the potential for the discovery of historical property exists, the agency official may develop a plan for the treatment of such properties if discovered and include this plan in any documentation prepared to comply with 36 CFR §800.5*.

The LMP outlines objectives and planned actions for the management of cultural resources within the withdrawal area.

23.2.3 Permit Requirements and Exceptions, 43 CFR §7.5

> *Any person proposing to excavate and/or remove archaeological resources from public lands and to carry out activities associated with such excavation and/or removal shall apply for a permit for the proposed work and shall not begin the proposed work until a permit has been issued.*

Avoidance of known archaeological sites is the primary mitigation measure used at WIPP. There were no archaeological clearances required and conducted during this reporting period. There were no requests for mitigation submitted to the SHPO during this reporting period.

24.0 NEW MEXICO ENVIRONMENTAL IMPROVEMENT ACT

24.1 Summary of the Law

The enactment of the New Mexico Environmental Improvement Act (74-1-1 through 74-1-16 NMSA 1978) created the Environmental Improvement Board to promulgate regulations and standards to protect health and safety and the environment. The Environmental Improvement Act also created the Environmental Improvement Division, now known as the NMED. The act directs the NMED to assume responsibility for environmental management and protection to demonstrate that environmental policy provides optimal health, safety, social, and economic well-being for the people of New Mexico. In carrying out its responsibilities, the NMED is directed to maintain, develop, and enforce regulations and standards in areas including water supply, liquid waste, air quality, radiation control, health and safety, hazardous wastes, and USTs. Many of these regulations and standards have been determined to be applicable to WIPP. These include the HWA, the Solid Waste Act (20.9.1 NMAC), the petroleum storage tank regulations (PSTRs), the Ground Water Protection Act (74-6B NMSA 1978) (GWPA), the Air Quality Control Act (74-2 NMSA 1978), the Water Quality Act (74-6-1 NMSA 1978), and water supply regulations.

24.2 Status of Compliance With the Regulatory Requirements

WIPP continued to comply with applicable New Mexico environmental regulations and standards as demonstrated in the following sections.

25.0 NEW MEXICO HAZARDOUS WASTE ACT

25.1 Summary of the Law

The purpose of the HWA is to ensure New Mexico's environment is maintained; to confer optimal health, safety, comfort, and economic and social well being on its inhabitants;

and to protect the proper utilization of its lands. The HWA established the program for hazardous waste management and control in the state of New Mexico.

On January 11, 1985, New Mexico received authorization from the EPA to administer the base federal hazardous waste program, effective January 25, 1985. Additional authorizations that expanded the scope of the initial authorization were granted by the EPA at later dates.

On January 2, 1996, the EPA provided an additional Final Authorization of State Hazardous Waste Management Program Revisions in the state of New Mexico. With this authorization the state was provided regulatory authority to implement the 1984 HSWA. With this authorization the EPA determined that the revisions to the New Mexico hazardous waste program met the requirements of Section 3006(b) of the RCRA by demonstrating that the state program was equivalent to and consistent with the federal program, and that the state program provided adequate enforcement authority to implement the revised HSWA authority under RCRA.

Section 74-4-4.E of the HWA allows the Environmental Improvement Board to adopt federal hazardous waste management regulations by reference after public notice and public hearing. The state of New Mexico has adopted the entire body of the EPA's hazardous waste regulations, with minor substitutions, omissions, and exceptions. With regard to the management of mixed waste, on July 11, 1990, the EPA published its acceptance of New Mexico's revised hazardous waste program, effective July 25, 1990. This authorization allows New Mexico to regulate the hazardous constituents of mixed waste under the revised HWA. In May of 2000, New Mexico adopted federal regulations 40 CFR Parts 260 through 273, which were effective June 14, 2000. They have subsequently adopted the federal regulations effective July 1, 2002. The only exception to this authorization are regulatory changes made by the EPA subsequent to the authorization. This authorization allows the state to regulate the hazardous constituents of the mixed waste to be sent to WIPP unless changes in the federal regulations have been made and not adopted by the NMED.

The state's Hazardous Waste Management Regulations are applicable to WIPP in three different areas. First, WIPP personnel generate hazardous waste and are thus required to comply with the generator requirements of 40 CFR Part 262 (20.4.1.300 NMAC). As long as site generated hazardous wastes are sent to a permitted off-site treatment, storage, and disposal facility (TSDF) within 90 days, no permit is required for the accumulation and storage of onsite generated hazardous wastes.

Second, WIPP is a disposal and storage facility for TRU mixed waste, which required WIPP to obtain an HWFP in accordance with 40 CFR Part 270 (20.4.1.900 NMAC and 20.4.1.901 NMAC) and comply with the TSDF regulatory requirements of 40 CFR Part 264 (20.4.1.500 NMAC). The HWFP was issued by the NMED on October 27, 1999 (NMED, 1999).

Third, USTs are regulated under the New Mexico PSTRs, codified as 20.5 NMAC. The New Mexico PSTRs differ somewhat from the federal regulations specified in

40 CFR Part 280. These state regulations are also discussed in detail in this Subsection 25.2.6.

25.2 Status of Compliance With the Regulatory Requirements

25.2.1 Compliance With Standards Applicable to Generators of Hazardous Waste, 20.4.1.300 NMAC

The paragraphs in this section summarize the applicable regulatory requirements and compliance status for hazardous waste generators under 20.4.1.300 NMAC, which corresponds to the federal implementing regulations of 40 CFR Part 262. Because New Mexico adopts the federal implementing regulations by reference, the citations list references from the federal regulations (e.g., 40 CFR Part 262), first followed by the New Mexico regulatory citation.

25.2.1.1 Hazardous Waste Determination, 40 CFR §262.11 (20.4.1.300 NMAC)

The generator of solid waste is required to determine whether the waste is hazardous as defined under 40 CFR Part 261.

Hazardous waste is currently generated from maintenance, construction, and other support operations at WIPP. This waste is characterized through knowledge of the materials and processes that generated the waste or waste sampling and analysis.

25.2.1.2 EPA Identification Number, 40 CFR §262.12 (20.4.1.300 NMAC)

An EPA identification number is required for each generator of hazardous waste. In addition, a generator must not offer waste to transporters or TSDFs that have not received an EPA identification number.

The DOE has obtained a generator identification number for WIPP. The EPA identification number for WIPP is NM4890139088. The MOC uses only transporters or TSDFs facilities that have an EPA identification number.

25.2.1.3 Manifest Requirements, 40 CFR §262.20 (20.4.1.300 NMAC)

Compliance with the manifest requirements is mandatory for shipping hazardous waste off-site.

The MOC uses the EPA specified Uniform Hazardous Waste Manifest (EPA Form 8700-22; Rev. 3-05) for all off-site hazardous waste shipments. The EPA required the use of this uniform manifest as of September 5, 2006.

25.2.1.4 Acquisition of Manifests, 40 CFR §262.21 (20.4.1.300 NMAC)

A generator may use manifests printed by any source so long as the source of the printed form has received approval from EPA to print the manifest.

The MOC obtains the manifests from the waste broker, who obtains the manifest from an EPA-approved printer.

25.2.1.5 Number of Copies, 40 CFR §262.22 (20.4.1.300 NMAC)

The manifest shall consist of sufficient copies to provide two for the generator and one each for the transporter and owner or operator of the designated facility.

The manifests used at WIPP contain sufficient copies to fulfill this requirement.

25.2.1.6 Use of the Manifest, 40 CFR §262.23 (20.4.1.300 NMAC)

The generator must sign the manifest certification by hand, obtain the handwritten signature of the initial transporter and date of acceptance on the manifest, and retain one copy. The generator must give the transporter the remaining copies of the manifest. Other requirements of this regulation pertain to shipments by water, rail, or to a designated facility in an authorized state which has not yet obtained authorization to regulate that particular waste as hazardous.

The MOC hazardous waste management and transportation procedures ensure that these requirements are met. Hazardous waste generated at WIPP is sent to TSDFs in states authorized to regulate that particular hazardous waste.

25.2.1.7 Packaging Requirements, 40 CFR §262.30 (20.4.1.300 NMAC)

EPA and DOT packaging requirements must be met before shipping hazardous waste off-site.

The MOC transportation and shipping procedures address these requirements. The MOC is responsible for proper packaging of all hazardous waste shipped from the site.

25.2.1.8 Labeling and Marking Requirements, 40 CFR §262.31 and §262.32 (20.4.1.300 NMAC)

DOT labeling and marking requirements must be met before shipping hazardous waste off-site.

The MOC hazardous waste management and transportation procedures address these requirements. The MOC ensures that each package of hazardous waste is properly labeled and marked before being shipped off-site.

25.2.1.9 Placarding Requirements, 40 CFR §262.33 (20.4.1.300 NMAC)

DOT placarding requirements must be met before shipping hazardous waste off-site.

The MOC hazardous waste management and transportation procedures address these requirements. The MOC ensures that each shipment of hazardous waste is placarded in accordance with the regulations.

25.2.1.10 Accumulation Time, 40 CFR §262.34(a) (20.4.1.300 NMAC)

Large-quantity generators may accumulate hazardous wastes on-site in containers for up to 90 days without a permit.

An accumulation start date is placed on each container of hazardous waste generated at WIPP at the time that waste is first added to the container or the waste exits a satellite accumulation area (SAA) as described in 40 CFR §262.34(c). The MOC follows hazardous waste management, storage area inspection, and waste disposal plans and procedures to ensure that accumulation time is not exceeded.

25.2.1.11 Accumulation of Hazardous Wastes, 40 CFR §262.34(a)(1)(i) (20.4.1.300 NMAC)

Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that the waste is placed in containers, and the generator complies with Subparts I, AA, BB, and CC of 40 CFR Part 265.

Hazardous waste management, storage area inspection, and waste disposal procedures are in place to verify that no waste is accumulated for more than 90 days unless prior approval is obtained from the NMED.

Compliance with Subpart I of 40 CFR Part 265, "Use and Management of Containers," is required for waste placed in containers. The requirements of this subpart pertain to the condition of containers, compatibility of waste with the containers, closing containers during storage, inspections, the location of containers holding ignitable or reactive waste, the segregation of incompatible wastes, and air emission standards. The MOC follows hazardous waste management procedures that ensure compliance with Subpart I of 40 CFR Part 265. These procedures provide for weekly inspections of containers, including container condition, container/waste compatibility, and the segregation of incompatible wastes. The hazardous waste storage area is located more than 50 feet from the WIPP property line for compliance with the requirements for ignitable or reactive

waste (40 CFR §265.176). Container Level 1 controls are used to ensure compliance with Subpart CC standards. Subparts AA and BB do not pertain to the hazardous waste generated at WIPP.

Implementation of these standards is required in less-than-90-day container accumulation areas but not in SAAs, per 40 CFR §262.34(c)(1), or areas exclusively storing mixed waste per 40 CFR §265.1080. WIPP limits the size of containers used for storing organic waste to <0.46m^3 and implements Container Level 1 Controls by using only DOT-approved containers.

25.2.1.12 Marking With Date of Initial Accumulation, 40 CFR §262.32(a) (20.4.1.300 NMAC)

Each container of hazardous waste must be clearly marked with the date of the initial accumulation of the waste.

For waste that is not managed in an SAA, the accumulation date is placed on containers when waste is first added to the container. When waste is managed in an SAA, the accumulation date is placed on the container when the container becomes full or when it is removed from the SAA.

25.2.1.13 Marking as Hazardous Waste, 40 CFR §262.34(a)(3) (20.4.1.300 NMAC)

While being accumulated on-site, each container and tank is labeled or marked clearly with the words "Hazardous Waste."

Each hazardous waste container in the 90-day storage area and SAA is clearly labeled with the words "hazardous waste" as described in MOC procedures. Labeling on containers is inspected weekly.

25.2.1.14 Compliance With Preparedness and Prevention, Contingency Plan and Emergency Procedures, Training, and Waste Analysis Plan Requirements, 40 CFR §262.34(a)(4) (20.4.1.300 NMAC)

Compliance with Subparts C (preparedness and prevention) and D (contingency plans and emergency procedures) of 40 CFR Part 265, §265.16 (personnel training), and §268.7(a)(5) (waste analysis plan [WAP] for prohibited waste under the LDRs) are required.

The DOE complies with this requirement through the maintenance of the Preparedness and Prevention Plan (HWFP Attachment E), RCRA Contingency Plan (HWFP Attachment F), various emergency response procedures, formal personnel training, and operation, maintenance, and testing of emergency equipment.

Preparedness and Prevention, 40 CFR Part 265, Subpart C: WIPP is maintained and operated to minimize the possibility of fire, explosions, or any unplanned release of

hazardous waste to the environment. Inspections of waste handling areas and equipment are conducted periodically in accordance with applicable regulations and MOC procedures. Corrective actions are accomplished through spill management procedures and action requests.

The following communication and alarm systems are available at the WIPP site: one-way communication by the public address (PA) system and its intercom phones and paging channels; local and facility-wide alarm systems, pagers and plectron; and two-way communication using an intraplant telephone system, mine phones, and portable two-way radios. Inspection procedures are in place for the communication and alarm systems and the fire protection equipment. These procedures include provisions for testing and maintenance to ensure that equipment will be operable in an emergency. Spill control and decontamination equipment is inspected weekly, and the results are recorded on inspection sheets as defined in HWFP Attachment D, Inspection Schedule, Process and Forms. Adequate aisle space is maintained in the hazardous waste storage area at WIPP to allow for emergency response activities.

The WIPP MOC supports local ambulance and emergency medical services. In addition, the DOE has established MOUs with off-site emergency response agencies for fire fighting, medical assistance, and law enforcement. An example is the mutual aid agreement between Hobbs and the DOE that provides for mutual ambulance, medical, fire, rescue, and hazardous material response services. All outside agencies with which WIPP has an MOU have received current copies of the WIPP RCRA Contingency Plan.

Contingency Plan and Emergency Procedures, 40 CFR Part 265, Subpart D: The RCRA Contingency Plan defines responsibilities, provides guidance for the coordination of activities, and describes procedures and actions to take to minimize the threats to human health and the environment from fires, explosions, or any sudden or non-sudden release of hazardous waste or hazardous waste constituents. The plan describes actions that must be taken in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or water. The plan lists agreements with local authorities; lists names, addresses, and phone numbers of persons qualified to act as RCRA Emergency Coordinators; provides a list of emergency equipment at the facility; and includes an evacuation plan. As stated in the plan, the RCRA Emergency Coordinator has the authority to commit the resources necessary to respond to an emergency.

Copies of the plan, and all amendments, are provided to all outside agencies with which WIPP has agreements for assistance in an emergency situation. The MOC maintains the distribution list for the plan and is responsible for updating the copies.

A comprehensive review of the plan is conducted at least annually, and the plan is modified to ensure that all information is up to date. Permit modifications are submitted, if necessary, whenever applicable regulations are revised; if the plan fails in an emergency; if the facility changes in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents, or

changes the response necessary in an emergency; or if the list of RCRA Emergency Coordinators or the list of emergency equipment changes.

A RCRA Emergency Coordinator is on-site 24 hours a day, 7 days a week. The coordinator is responsible for coordinating all emergency response measures. The primary RCRA Emergency Coordinator is the on duty Facility Shift Manager. Emergency Coordinators are thoroughly familiar with the Contingency Plan. The Contingency Plan has provisions that meet the emergency procedure requirements such as communication of an emergency situation to employees, notification of the appropriate agency if assistance is needed, identification of hazardous materials, assessment of hazards, and notification of any incident that requires implementation of the Contingency Plan.

Personnel Training, 40 CFR §265.16: Formal training at WIPP is conducted in accordance with the MOC training program as described in Subsection 25.2.3.7.

Waste Analysis Plan for Managing and Treating Prohibited Wastes or Contaminated Soil in Tanks or Containers, **40 CFR §268.7(a)(5)**: No WIPP-generated hazardous waste is treated or land-disposed of at this facility.

25.2.1.15 Extension of Storage Period, 40 CFR §262.34(b) (20.4.1.300 NMAC)

> *The 90-day storage period may be extended for up to 30 days due to unforeseen, temporary, and uncontrollable circumstances.*

Applicable MOC procedures provide instruction for the shipment of hazardous waste off-site prior to the 90-day deadline. However, procedures exist if a request for an extension is needed. There were no extensions during the reporting period.

25.2.1.16 Restrictions and Requirements, 40 CFR §262.34(c)(1) (20.4.1.300 NMAC)

> *There are a number of restrictions and requirements for SAAs. These include the limit of 55 gallons of hazardous or 1 quart of acutely hazardous waste (listed in 40 CFR §261.33[e]) and the requirement that the SAA be located at or near the point of generation of the waste and under the control of the operator.*

None of the SAAs have a capacity that exceeds 55 gallons. The MOC SAA management procedure addresses how inspections are conducted to verify that the 55-gallon limit per SAA is not exceeded. No acutely hazardous waste was generated at WIPP during this reporting period. Therefore, SAAs for acutely hazardous waste are not necessary and have not been established. The SAAs are located at or near the points of generation of the hazardous waste, and are under the control of the operator generating the waste. In addition, this procedure defines the requirements for placing waste in an SAA, and defines the responsibilities of the waste generator.

25.2.1.17 Compliance With 40 CFR §§265.171, 265.172, and 265.173(a), 40 CFR §262.34(c)(1)(i) (20.4.1.300 NMAC)

Requirements for hazardous waste generators from 40 CFR Part 265 pertain to the condition of the containers (§265.171), compatibility of the waste with the container (§265.172), and the necessity to keep the containers closed when not actually adding waste to or removing it from the containers (§265.173[a]). In addition, a container holding hazardous waste must not be opened, handled, or stored in a manner that could rupture the container or cause it to leak (40 CFR §262.34[c][1][i]).

The MOC SAA procedures and weekly inspections ensure that containers used to hold hazardous waste in SAAs are in good condition. If a container is found to be unuseable, the waste is removed and transferred to another container. These procedures address waste/container compatibility, and the requirement that containers be closed except when waste is being added or removed. The procedures also address the requirement that containers not be opened, handled, or stored in a manner that could cause the container to rupture or leak by requiring that containers be inspected before and after transportation from the SAA to the staging area.

25.2.1.18 Marking of Container as "Hazardous Waste," 40 CFR §262.34(c)(1)(ii) (20.4.1.300 NMAC)

Marking of each hazardous waste container as "hazardous waste" is required.

Applicable MOC procedures are in place, and weekly inspections are conducted, to verify that each container of hazardous waste is clearly marked as hazardous waste.

25.2.1.19 Management of Waste, 40 CFR §262.34(c)(2) (20.4.1.300 NMAC)

If waste accumulates in one of the SAAs in excess of the 55-gallon or 1-quart limit, the container(s) containing the excess waste must be marked with the date on which excess waste began accumulating, and excess accumulation wastes must be moved to the 90-day storage area within three days.

There were no excess accumulations in the SAAs during this reporting period. Procedures and weekly inspections ensure that all waste in an SAA is moved to the 90-day accumulation area before excess amounts are accumulated.

25.2.1.20 Record-Keeping Requirements, 40 CFR §262.40 (20.4.1.300 NMAC)

Manifests, test results, waste analyses, biennial reports, and exception reports must be kept on-site for at least three years.

Required records are maintained by the MOC on-site for a minimum of three years. Waste analyses and reports supporting LDRs are kept on file for a minimum of three years.

25.2.1.21 Generator-Biennial Report, 40 CFR §262.41 (20.4.1.300 NMAC)

> *Each generator of hazardous waste that ships the waste off-site to an approved TSDF must file a report to the EPA by March 1 of every even-numbered year. This report is required to contain a description of the efforts undertaken during the year to reduce the volume and toxicity of the waste and a comparison of the volume and toxicity of the waste to previous years.*

The MOC prepares this report to respond to these requirements. The most recent report was submitted in February 2008.

25.2.1.22 Exception Reporting, 40 CFR §262.42 (20.4.1.300 NMAC)

> *Exception reporting is required if a copy of the manifest is not returned to the generator within 45 days of the date of acceptance of the hazardous waste by the transporter.*

The MOC hazardous waste management procedures address exception reporting. No exception reports were required during this reporting period.

25.2.1.23 Additional Reporting, 40 CFR §262.43 (20.4.1.300 NMAC)

> *The Secretary, as he or she deems necessary, may require generators to furnish additional reports concerning the quantities and disposition of wastes identified or listed in 40 CFR Part 261.*

No additional reports have been requested to date.

25.2.1.24 Special Requirements for Generators of Between 100 and 1,000 Kilograms Per Month, 40 CFR §262.44 (20.4.1.300 NMAC)

> *A generator of greater than 100 kilograms (kg) but less than 1,000 kg of hazardous waste in a calendar month is subject to only . . . record keeping; . . . exception reporting; and . . . additional reporting requirements.*

The WIPP site is currently categorized as a large quantity generator (over 1,000 kg in any calendar month). This regulation is not applicable.

25.2.1.25 Container Level 1 Standards, 40 CFR §264.1086(c)(4)(iii) (20.4.1.500 NMAC)

> *When a defect is detected for the container, cover, or closure devices, the owner or operator shall make first efforts at repair of the defect no later than 24 hours after detection and repair shall be completed as soon as possible but no later than five calendar days after detection. If repair of a defect cannot be completed within five calendar days, then the hazardous waste shall be removed from the container and the container shall not be used to manage hazardous waste until the defect is repaired.*

If the contents of a leaking container cannot be immediately transferred to a nondefective container, MOC personnel will temporarily plug or patch the leak as soon as it is detected. As soon as possible after a container defect is detected, but no later than the end of the work shift, MOC personnel transfer hazardous waste into a nondefective container. Empty, defective containers are crushed and sent to a scrap metal recycler. Repaired containers are not used at WIPP.

25.2.2 Compliance With Standards Applicable to Transporters of Hazardous Waste, 40 CFR Part 263 (20.4.1.400 NMAC)

The DOE and its MOC conduct assessments or audits to review WIPP compliance with requirements of applicable federal regulations and DOE orders that pertain to hazardous waste transportation activities.

A summary of the requirements for transporters of hazardous or mixed wastes and the compliance status of each requirement is provided in the text.

25.2.2.1 Compliance With Department of Transportation Regulations, 40 CFR §263.10(a) (20.4.1.400 NMAC)

> *Transporters of hazardous/mixed waste must comply with all applicable DOT regulations.*

Cast Specialty Transportation, Inc., Tri-State Motor Transit Company, and Visionary Solutions were contracted to transport TRU waste to WIPP from the generator sites during this reporting period. The DOE transportation management programs incorporate the applicable DOT regulations from 49 CFR.

Any transporter hired to ship TRU and TRU mixed waste from the generator sites to WIPP, or to transport site-generated waste from WIPP to off-site TSDFs, must comply with the DOT regulations.

25.2.2.2 EPA Identification Number, 40 CFR §263.11 (20.4.1.400 NMAC)

The transporter must have an EPA identification number from the EPA Administrator.

Any transporter hired to ship TRU and TRU mixed waste to WIPP has an EPA identification number. Cast Specialty Transportation Inc.'s EPA identification number is COR 000206722. Tri-State Motor Transit Company's EPA identification number is MOD095038998. A contract was issued in September of 2007 to Visionary Solutions, LLC, to transport TRU and TRU mixed waste to WIPP. Their EPA ID number is TNR000023390.

The transporters used to transport site-generated waste from WIPP to off-site TSDFs must have EPA identification numbers. During this BECR reporting period the following transporters, and their corresponding EPA identification numbers, were used for off-site transportation of site-generated waste: Veolia ES Technical Solutions, NJD080631369; Rinchem Company, Inc., NMD002208627; and Hittman Transportation Service, TND987783065.

25.2.2.3 Compliance With the Manifest System and With Record-Keeping Requirements, 40 CFR §§263.20 Through 263.22 (20.4.1.400 NMAC)

The transporter must comply with all relevant manifest and record-keeping requirements.

The DOE transportation management plans require that transporters comply with requirements of the manifest system. Any transporter hired to ship TRU mixed waste to WIPP must comply with these requirements. When shipments of TRU mixed waste are received at WIPP, the manifest is signed and a copy is immediately given to the transporter. Applicable records are maintained by the DOE.

Transporters of site-generated waste are given copies of manifests that include both transporter and generator signatures before leaving the WIPP site. Transporters ensure that the manifests accompany the hazardous waste shipments and are signed and delivered to the designated TSDF facility.

25.2.2.4 Immediate Action after Hazardous Waste Discharges During Transportation, 40 CFR §263.30 (20.4.1.400 NMAC)

The transporter will take appropriate immediate action in the event of a discharge of hazardous waste during transportation.

The DOE transportation management plans address actions that will be undertaken to protect human health and the environment. Any transporter that ships TRU mixed waste to WIPP must have these capabilities. No hazardous waste discharges during transportation occurred during this reporting period.

Transporters used for site-generated waste shipments to off-site facilities have spill control plans that address hazardous waste discharges during shipment. No hazardous waste discharges occurred during this reporting period.

25.2.2.5 Discharge Cleanup, 40 CFR §263.31 (20.4.1.400 NMAC)

> *A transporter must clean up any hazardous waste discharge that occurs during transportation or must take any action(s) required by federal, state, or local officials to render the discharge nonhazardous to human health and the environment.*

In the event of a hazardous waste constituent discharge during transportation, cleanup activities will be undertaken, as required. Any transporter of TRU waste to WIPP must be capable of ensuring adequate cleanup of any hazardous or mixed waste released to the environment during a transportation incident or accident. No hazardous waste discharges occurred during this reporting period.

Transporters used for site-generated waste shipments carry spill control plans and cleanup equipment. In the event of a hazardous waste discharge, cleanup activities will be undertaken. No hazardous waste discharges occurred during this reporting period.

25.2.3 Compliance With the Regulatory Requirements for TSDFs, 40 CFR Part 264 (20.4.1.500 NMAC)

An operating permit for WIPP was issued on October 27,1999 (NMED, 1999). Applicable requirements of a permitted RCRA disposal facility are described in this section.

25.2.3.1 Applicability, 40 CFR §264.10 (20.4.1.500 NMAC)

> *The regulations in Subpart B apply to owners and operators of all hazardous waste facilities, except as §264.1 provides otherwise.*

The portions of Subpart B applicable to WIPP are identified in §§264.11 through 264.18 as discussed in Subsections 25.2.3.2 through 25.2.3.9.

25.2.3.2 EPA Identification Number, 40 CFR §264.11 (20.4.1.500 NMAC)

> *Each TSDF must have an EPA identification number.*

The EPA identification number for WIPP is NM4890139088.

25.2.3.3 Required Notices, 40 CFR §264.12(b) (20.4.1.500 NMAC)

> *The owner or operator of a facility that receives waste from an off-site source must inform the generator that the appropriate permits are in place and the waste will be accepted.*

On January 12, 2000, the DOE sent notification to all applicable generators that a permit had been received.

25.2.3.4 General Waste Analysis, 40 CFR §264.13 (20.4.1.500 NMAC)

> *A detailed chemical and physical analysis of a representative sample of the wastes is required before a TSDF may treat, store, or dispose of waste. The owner/operator of the TSDF must inspect and, if necessary, analyze the waste received to ensure that it matches the identity of the waste described in the accompanying manifest. The owner/operator must follow a written WAP to ensure compliance with these requirements.*

General waste analysis is addressed in HWFP Module II, General Facility Conditions, and HWFP Attachments B, Waste Analysis Plan; B1, Waste Characterization Sampling Methods; B2, Statistical Methods Used in Sampling and Analysis; B3, Quality Assurance Objectives and Data Validation Techniques for Waste Characterization Sampling and Analytical Methods; B4, TRU Mixed Waste Characterization Using Acceptable Knowledge; B5, Quality Assurance Project Plan Requirements; and B6, Waste Isolation Pilot Plant Permittees' Audit and Surveillance Program. Characterization methods consist of acceptable knowledge, visual examination, radiography, headspace gas sampling and analysis, and additional sampling and analysis for homogeneous solids, soil, and gravel waste forms.

On December 1, 2003, the Energy and Water Development Appropriations Act for Fiscal Year 2004 (Pub. L. 108-137) became effective. Section 311 of this law defined how the DOE must confirm waste that has been characterized for disposal at WIPP as well as how the Permittees must demonstrate compliance with the disposal room performance standards. Section 311 directed the DOE to submit an HWFP modification request to the NMED to implement the provisions. The DOE submitted the required modification to the NMED in January 2004. The modifications were approved by the NMED in October 2006 and the modified permit was effective on November 16, 2006. Permit Attachment B7, Permittee Level TRU Waste Confirmation Process, was added to the HWFP at this time to implement the confirmation requirements of Pub. L. 108-137.

On November 26, 2007, the NMED issued CO HWB 07-42 (AMWTP) (NMED, 2007c), alleging that the DOE had emplaced a 55-gallon drum of CH TRU waste with liquids in excess of the waste acceptance limits established in the HWFP. The response to the AMWTP CO was sent to the NMED on December 20, 2007. A Stipulated Final CO to settle this issue was signed on March 26, 2008, and resulted in a civil penalty of $110,700.

CO HWB 07-43 (Los Alamos National Laboratory) (NMED, 2007d), which was also issued on November 26, 2007, by the NMED, alleged that the Permittees emplaced 121 drums of CH TRU waste that were characterized (in part) with an inadequate characterization method. The Permittees provided the report to NMED that demonstrated the emplaced containers did not pose a risk to human health and the

environment. The DOE and WTS resolved this CO via a Settlement Agreement executed on February 7, 2008.

25.2.3.5 Security, 40 CFR §264.14 (20.4.1.500 NMAC)

> *Security measures are required to prevent the possibility of unknowing and/or unauthorized entry by persons or livestock onto the active portion of the facility. A 24-hour surveillance system or barrier is required, and the facility must be posted.*

Security requirements are contained in HWFP Attachment C, Security. The WIPP Property Protection Area is enclosed within an 8-foot-high chain-link fence, and 24-hour surveillance is conducted by guards trained to prevent unauthorized entry onto the facility. Signs with the legend "Danger—Unauthorized Personnel Keep Out" in both English and Spanish are posted. The perimeter fence, gates, and signs are inspected daily for evidence of tampering or structural damage in accordance with WIPP approved procedures.

25.2.3.6 General Inspection Requirements, 40 CFR §264.15 (20.4.1.500 NMAC)

> *The owner/operator must inspect the facility for malfunctions, deterioration, operator errors, and discharges that cause actual or potential releases of hazardous constituents to the environment or a threat to human health. A written schedule must be developed and followed for inspecting all monitoring, safety, and emergency equipment; security devices; and operating/structural equipment needed to prevent, detect, or respond to environmental or human health hazards. The inspections must be recorded in an inspection log or summary and kept for at least three years.*

The MOC implements inspection procedures for monitoring, safety, and emergency equipment; security devices; and operating and structural equipment. Written schedules (HWFP Attachment D) that indicate the frequency of routine inspections have been developed.

Cognizant individuals develop and maintain procedures that outline the types of problems that will be examined during inspections of equipment and systems. Each organization responsible for inspections maintains its own inspection information. Completed inspection sheets include a signature, date and time of inspection; observations made; and the date and nature of any repairs or other remedial actions. Inspection documentation is maintained in the operating record for a minimum of three years.

25.2.3.7 Personnel Training, 40 CFR §264.16 (20.4.1.500 NMAC)

> *Personnel training must be provided to facility personnel within six months of their employment or new assignment; personnel*

> *must not work in unsupervised positions until the training has been completed. The training program must be designed to ensure that facility personnel can respond effectively to an emergency. The training program must teach personnel those hazardous waste management procedures that are relevant to the positions in which they are employed. The program must be directed by a person trained in hazardous waste management procedures. The job title for each position at the facility that is related to hazardous waste management, the name of the employee filling the position, a written description of the training required, and records that document that the training and/or job experience has been completed are also required. These records must be kept until closure for current personnel and for at least three years for former employees.*

Training requirements are specified in HWFP Attachments H, Personnel Training; H1, RCRA Hazardous Waste Management Job Titles and Descriptions; and H2, Training Course and Qualification/Certification Card Outlines. Formal training is conducted in accordance with a training manual. The training includes General Employee Training for all WIPP employees, other classroom training, and on-the-job training. WIPP training is directed by certified instructors.

The MOC maintains a listing of all hazardous waste management job titles, names of employees assigned by job title to hazardous waste management jobs, and job descriptions that identify RCRA duties. Records on active and inactive personnel are kept at the WIPP facility for the specified time periods.

25.2.3.8 General Requirements for Ignitable, Reactive, or Incompatible Wastes, 40 CFR §264.17 (20.4.1.500 NMAC)

> *Precautions must be taken to prevent accidental ignition or reaction of ignitable or reactive waste. Any mixture or commingling of incompatible wastes must be conducted so that it does not generate extreme heat or pressure, fire or explosion, violent reaction; does not produce uncontrolled toxic airborne materials; does not produce uncontrolled flammable fumes or gases; does not damage the structural integrity of the device or facility; or does not threaten human health or the environment.*

WIPP is precluded from accepting ignitable, corrosive, or reactive waste as specified in HWFP Module II and Attachment B. Appendix C1 of the HWFP Application, "Chemical Compatibility Analyses of Waste Forms and Container Materials," reported the results of an analysis of the compatibility of the transuranic waste streams with each other and with waste containers, backfill, and other facility materials. No incompatibilities were identified.

25.2.3.9 Location Standards, 40 CFR §264.18 (20.4.1.500 NMAC)

Facilities where disposal of hazardous waste will be conducted must not be located near a fault as listed in 40 CFR §270.14(b)(11). Facilities in a 100-year flood plain must be designed, constructed, operated, and maintained to prevent washout by a 100-year flood. No noncontainerized or bulk liquid hazardous waste may be emplaced in such structures as a salt bed formation or an underground mine except at the DOE WIPP in New Mexico.

Eddy County is not listed as a political jurisdiction in which compliance with the seismic standard of 40 CFR §264.18(a) must be demonstrated. The WIPP site does not lie within a 100-year flood plain.

25.2.3.10 Maintenance and Operation of Facility, 40 CFR §264.31 (20.4.1.500 NMAC)

Facilities must be designed, constructed, maintained, and operated to minimize the possibility of fire, explosions, or any unplanned release of hazardous constituents to air, soil, or surface water that could threaten human health or the environment.

All waste handling facilities are designed, constructed, maintained, and operated to meet this requirement. General facility conditions for maintenance and operation of WIPP are stated in HWFP Module II. Preventive procedures, structures, and equipment are specified in HWFP Attachment E. An inspection schedule for equipment instrumental in preventing, detecting, or responding to environmental or human health hazards is given in HWFP Attachment D. Compliance continued to be maintained during the reporting period.

25.2.3.11 Required Equipment, 40 CFR §264.32 (20.4.1.500 NMAC)

All facilities must be equipped with an internal communications or alarm system for immediate emergency instruction; devices to summon external emergency assistance; fire extinguishers and fire-control, spill-control, and decontamination equipment; and water or foam equipment, sprinklers, or water-spray systems.

The intraplant communication systems, designed to provide immediate emergency instructions to facility personnel, include communication by the PA system and its intercom phones and paging channels, an intraplant telephone system, mine phones, pagers and Plectrons, portable two-way radios, and local and facility-wide alarm systems. The procedures for notifying facility personnel of an emergency are described in the RCRA Contingency Plan.

There are various alarm systems used at the WIPP facility. The PA system has two alarm tones in use, a yelp and a gong. Its signals are produced in the master PA system console by a tone generator and are transmitted sitewide over the paging channel of the system, overriding its normal use.

Whenever TRU mixed wastes are handled, two persons, at a minimum, are involved in the operation. The WHB contains readily accessible telephones and PA stations throughout. The mine phones are the main means of communication underground, although the PA system is also available.

Underground communication and alarm systems are arranged to meet the requirements of 30 CFR §57.4360, which regulates the operation of underground mines and is imposed by the Mine Safety and Health Administration. Telephones or other two-way communication equipment with instructions for their use are provided for communications from underground to the surface. Alarm systems capable of promptly warning every person underground are provided and maintained in operating condition. Typically, these provisions include a flashing light capable of being easily seen. If persons are assigned to work areas beyond the warning capabilities of the system, provisions will be made to alert them in a proper manner to provide for their safe evacuation.

The external communication systems, designed to provide two-way communication with outside agencies or for summoning emergency assistance from off-site, include the commercial telephone system and two-way radios.

HWFP Attachment E specifies preventive procedures, structures, and equipment. The RCRA Contingency Plan describes the capabilities and locations of the fire-suppression equipment and systems.

The WIPP facility water system supplies water for domestic use and fire protection. Water is furnished by the Double Eagle Water Company, owned by the city of Carlsbad.

The Pumphouse, the Guard and Security Building, the Support Building, the WHB, the Exhaust Filter Building, the TRUPACT Maintenance Facility, the Engineering Building, the Safety and Emergency Services Building, the Training Building, and several other warehouse and maintenance buildings, have fire sprinkler systems. The WIPP Facility maintains a fire brigade and has on-site fire fighting equipment. Fire hydrants and hose connections for fire fighting are located throughout the facility. There is no fire fighting water supply system underground. Instead, the underground is equipped with fire extinguishers of various types and in various locations (including vehicles) and a fire truck with a chemical extinguisher. The underground fuel station is equipped with an automatic chemical extinguishing system.

25.2.3.12 Testing and Maintenance of Equipment, 40 CFR §264.33 (20.4.1.500 NMAC)

All facility communications or alarm systems and fire-control, spill-control, and decontamination equipment must be tested and maintained as needed to ensure its proper operation during an emergency.

Equipment instrumental in preventing, detecting, or responding to environmental or human health hazards, such as alarm systems, fire protection equipment, and decontamination equipment are tested and maintained to assure proper operation in a time of emergency. Alarms, spill control, and decontamination equipment are inspected periodically in accordance with the HWFP Attachment D.

25.2.3.13 Access to Communications or Alarm Systems, 40 CFR §264.34 (20.4.1.500 NMAC)

Immediate access to a communications or internal alarm system is required for all personnel involved when handling hazardous waste. If just one employee is ever on the premises during operations, he or she must have immediate access to a device (e.g., telephone) for summoning external emergency assistance.

The following communication and alarm systems are available at the WIPP site: the PA system and its intercom phones and paging channels, an intraplant telephone system, mine phones, local and facility-wide alarm systems, pagers and Plectron, and portable two-way radios. HWFP Attachment E specifies preventive procedures, structures, and equipment. HWFP Attachment D provides an inspection schedule for this equipment and describes the location of alarms, telephones, etc. Alarms and telephones are strategically placed in and adjacent to hazardous and TRU waste management facilities. There is more than one employee on the premises at all times.

25.2.3.14 Required Aisle Space, 40 CFR §264.35 (20.4.1.500 NMAC)

Aisle space must be maintained to allow the unobstructed movement of personnel and of fire-protection, spill-control, and decontamination equipment to any area of facility operation unless aisle space is not needed for these purposes.

HWFP Modules II and III, General Facility Conditions and Container Storage, respectively; HWFP Attachment E; and MOC procedures, call for maintaining appropriate aisle space for all stored waste in the WHB.

No aisle space is required to be maintained between containers emplaced in the hazardous waste disposal units (HWDUs) as permitted by HWFP Attachment M2, Geologic Repository.

25.2.3.15 Arrangements With Local Authorities, 40 CFR §264.37 (20.4.1.500 NMAC)

Arrangements with local authorities must be made for the provision of emergency services if needed. Requirements include familiarizing the local authorities with the layout of the facility, properties of hazardous waste to be handled, possible evacuation routes, and other information needed for emergency responses.

The DOE has established MOUs with appropriate off-site emergency response agencies for the provision of emergency services. Outside agencies with which MOUs have been made have received copies of the RCRA Contingency Plan and all amendments as required by the HWFP Module II and 40 CFR §§264.53 and 264.54.

25.2.3.16 Purpose and Implementation of the Contingency Plan, 40 CFR §264.51 (20.4.1.500 NMAC)

Each owner/operator must have a contingency plan for their TSDF. The contingency plan must be designed to minimize hazards to human health or the environment from fires, explosions, or unplanned releases of hazardous waste or hazardous constituents to the environment. The provisions of the plan must be carried out whenever a fire, explosion, or release of hazardous waste or hazardous constituents could threaten human health or the environment.

The RCRA Contingency Plan, HWFP Attachment F, defines responsibilities; provides guidance for coordination of activities; and minimizes hazards to human health and the environment from fires, explosions, or any unplanned release of hazardous waste or hazardous waste constituents. There were no situations requiring activation of the Plan during the reporting period.

25.2.3.17 Content of the Contingency Plan, 40 CFR §264.52 (20.4.1.500 NMAC)

The contingency plan must describe the actions to be taken by facility personnel in response to fires, explosions, or any unplanned releases of hazardous waste or hazardous constituents to the environment. The plan must describe arrangements agreed to by local authorities and emergency response units and must list the current names, addresses, and phone numbers (work and home) of all Emergency Coordinators. All emergency equipment must be listed, along with the location, description, and capabilities of all equipment. An evacuation plan for facility personnel must be included.

The RCRA Contingency Plan describes actions that must be taken in response to fires, explosions, or any unplanned or sudden or non-sudden release of hazardous waste or

hazardous waste constituents to air, soil, or water, and describes agreements with local authorities (local police and fire departments, hospitals, contractors, and state and local emergency response teams). It also lists the names, addresses, and phone numbers of persons qualified to act as Emergency Coordinators, provides a list of emergency equipment at the facility, and includes an evacuation plan.

25.2.3.18 Copies of the Contingency Plan, 40 CFR §264.53 (20.4.1.500 NMAC)

> *Copies of the contingency plan and all revisions to the plan must be maintained at the facility and submitted to all local police and fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services.*

Copies of the RCRA Contingency Plan are maintained at WIPP. A copy of the plan is maintained at document locations accessible to emergency responders and on the WIPP network, where it is available to all WIPP personnel. The MOC maintains a distribution list and is responsible for the distributing the Contingency Plan to local officials and MOU agencies when the plan is modified. Copies of the plan, and all revisions, have been provided to each outside agency with which the DOE has agreements for assistance in an emergency situation.

25.2.3.19 Amendment of Contingency Plan, 40 CFR §264.54 (20.4.1.500 NMAC)

> *The contingency plan must be reviewed and immediately revised, if necessary, whenever applicable regulations are revised; the plan fails in an emergency; the facility changes in a way that increases the potential for fire, explosions, or release of hazardous waste; or the list of Emergency Coordinators or emergency equipment changes.*

The RCRA Contingency Plan is reviewed at least annually, and the HWFP is modified if necessary whenever applicable regulations are revised; the plan fails in an emergency; the facility changes in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents or changes the response necessary in an emergency; the list of Emergency Coordinators changes; or the list of emergency equipment changes. The Contingency Plan was modified in June of 2007 to reflect nine Class 1 permit changes and five Class 2 permit changes.

25.2.3.20 Emergency Coordinator, 40 CFR §264.55 (20.4.1.500 NMAC)

> *At least one employee (on the facility premises or on call) must be designated as the Emergency Coordinator, with the responsibility for coordinating all emergency response measures. The Emergency Coordinator must be familiar with the contingency plan, all operations and activities at the facility, the location and characteristics of waste handled, location of all facility records, and*

> *the facility layout. The Emergency Coordinator must have the authority to commit the resources needed to carry out the contingency plan.*

An Emergency Coordinator is on-site at the WIPP facility 24 hours a day, 7 days a week, and is responsible for coordinating all emergency response measures. The primary Emergency Coordinator is the Facility Shift Manager. The Facility Shift Manager is the coordinator who will be on duty at the time of any incident that requires implementation of the RCRA Contingency Plan.

Personnel qualified to act as the Emergency Coordinator are listed in the plan. These employees have the requisite experience and authority to perform their role as Emergency Coordinator.

25.2.3.21 Emergency Procedures, 40 CFR §264.56 (20.4.1.500 NMAC)

> *In the event of an imminent or actual emergency situation, the Emergency Coordinator or designee must notify facility personnel via internal alarms or communications systems and must notify state or local agencies if their help is needed. A release, fire, or explosion mandates that the Emergency Coordinator obtain appropriate information, assess possible hazards, make any notifications required, prevent the spread or reoccurrence of the incident, monitor if necessary, recover waste, prevent handling of incompatible waste in the area, ensure that emergency equipment is cleaned up and fit for use after the event, and record details regarding the incident in the facility's operating record. The owner or operator must note specific information about any incident that requires the contingency plan to be implemented. This information must be recorded in the facility's operating record. A written report must be submitted to the Regional EPA office and the NMED within 15 days of the incident. The NMED and the SERC must be contacted in the event of any spill incident that may endanger human health or the environment.*

WIPP Emergency Coordinators are thoroughly familiar with the RCRA Contingency Plan. The plan has provisions that meet the emergency procedure requirements, such as communicating information about the emergency to employees, notifying appropriate agencies to obtain assistance, identifying hazardous materials, assessing hazards, and making the necessary notifications. The appropriate agencies include the LEPC, the Carlsbad Police Department, the Carlsbad Fire Department, and the Eddy County Sheriff.

The Facility Shift Manager is responsible for coordinating the cleanup of spills. Disposal of the waste resulting from cleanup is the responsibility of the MOC.

Equipment used in an emergency will be thoroughly decontaminated before being placed back in service. If decontamination is not possible, equipment will be disposed of according to MOC procedures and replaced. Equipment listed in the plan is kept clean and fit for its intended use.

As described in the plan, a daily log is maintained in the CMR at WIPP. The Facility Shift Manager signs into the log before beginning their duty shift. Incidents, regardless of whether or not they activate the plan, are recorded in the CMR log.

The Contingency Plan addresses the requirement that the NMED and SERC be notified in the event of a spill that would endanger human health or the environment. The Contingency Plan has not been implemented and no notifications were necessary during the reporting period.

25.2.3.22 Use of Manifest System, 40 CFR §264.71 (20.4.1.500 NMAC)

> *If a facility receives hazardous waste or hazardous constituents accompanied by a manifest, the owner or operator or designee must sign and date each copy of the manifest to certify receipt of the waste, note any significant discrepancies in the manifest, return at least one copy of the manifest to the transporter, send a copy of the manifest to the generator within 30 days, and retain a copy of the manifest for at least three years.*

The MOC waste management and transportation procedures implement regulations on the use and retention of hazardous waste manifests. Generator sites are required to provide a manifest for shipments of TRU mixed waste. Significant manifest discrepancies are noted as required and a copy of the manifest is returned to the generator within 30 days. There were no significant discrepancies during this reporting period.

25.2.3.23 Manifest Discrepancies, 40 CFR §264.72 (20.4.1.500 NMAC)

> *Manifest discrepancies are differences between the quantity or type of hazardous waste designated in the manifest and that actually received. Upon discovering a significant discrepancy, the owner or operator must try to reconcile the discrepancy with the generator or transporter. If not resolved within 15 days, the owner or operator must notify the Secretary.*

The MOC waste handling and transportation procedures provide instruction and guidance for handling manifest discrepancies. The generator will be notified of discrepancies, and the discrepancies will be recorded in the "remarks" section of the appropriate form. If the discrepancies cannot be resolved within 15 days, they will be reported in writing to the Secretary of the NMED. There were no significant discrepancies during this reporting period.

25.2.3.24 Operating Record, 40 CFR §264.73 (20.4.1.500 NMAC)

> *The owner/operator must keep a written operating record at the facility. Information relating to the type and amount of hazardous waste, its location and quantity at each location, cross-references to specific manifest documents and records and the results of waste analyses, summary reports and details of all incidents requiring implementation of the contingency plan, records and results of inspections, monitoring and analytical data and any corrective actions taken, and closure cost estimates must be included. In addition, information on the annual certification of a waste minimization program must be kept in the operating record.*

HWFP Module II establishes, and the MOC complies with, the above requirements for maintaining the written operating record. Closure cost estimates are not required for WIPP. A Class II Permit Modification was submitted to the NMED to authorize electronic recordkeeping for some portions of the operating record during this reporting period. The modification was approved on March 19, 2008. Annual certifications of the waste minimization program are kept in the operating record.

25.2.3.25 Availability, Retention, and Disposition of Records, 40 CFR §264.74 (20.4.1.500 NMAC)

> *All records required under this part, including plans, must be retained and made available for inspection by Department designees. The retention period for all records required under this part is automatically extended during the course of any unresolved enforcement action or as requested by the Secretary. Records of waste disposal locations and quantities must be submitted to the appropriate agencies upon closure of the facility.*

The HWFP establishes requirements for maintaining a written operating record. The MOC implementation includes provisions for furnishing records upon request to the EPA and/or the NMED, as well as provisions for submitting a copy of waste emplacement locations and quantities to appropriate state and federal regulators. In the event of an enforcement action, records are retained for the duration of the action.

25.2.3.26 TSDF Biennial Report, 40 CFR §264.75 (20.4.1.500 NMAC)

> *The owner or operator of a TSDF must submit a copy of a biennial report to the Secretary by March 1 of each even-numbered year using EPA Form 8700-13B.*

The MOC submits TRU mixed waste data for the TSDF biennial report to the NMED. The last biennial report was submitted in February 2008 (DOE, 2008h).

25.2.3.27 Unmanifested Waste Report, 40 CFR §264.76 (20.4.1.500 NMAC)

> *A report must be submitted to the Secretary for any hazardous waste accepted for treatment, storage, or disposal that is not accompanied by a hazardous waste manifest.*

As required by HWFP Condition II.J, Manifest System; and HWFP Attachment B, and in the WIPP WAC, a hazardous waste manifest is transmitted with each shipment of TRU mixed waste to WIPP.

No unmanifested waste reports were necessary during this reporting period.

25.2.3.28 Additional Reports, 40 CFR §264.77 (20.4.1.500 NMAC)

> *Additional reports required of the owner or operator of a TSDF by the Secretary are reports relating to releases, fire, or explosions; groundwater contamination and monitoring data; facility closure; and air emissions under Subparts AA, BB, and CC of this part.*

There were no additional reports relating to releases, fire, or explosions, groundwater contamination and monitoring data, or facility closure required or made during this BECR period. Monitoring reports (e.g., groundwater, VOC, groundwater level, geotechnical and mine ventilation) were submitted as required by the HWFP Module I. No additional reports were required for Subparts AA, BB, CC air emissions as these standards are not applicable to TRU mixed wastes disposed of at WIPP.

25.2.3.29 Applicability (of the Groundwater Monitoring System), 40 CFR §264.90 (20.4.1.500 NMAC)

> *A groundwater monitoring system is required by the owner or operator of a surface impoundment, landfill, or land treatment facility used to manage hazardous waste. All or part of the groundwater monitoring requirements may be waived if the owner/operator can demonstrate that there is no potential for migration of liquid from the facility via the uppermost aquifer to water supply wells or to surface water. The demonstration, in writing, must be certified by a qualified geologist or geotechnical engineer.*

A groundwater detection monitoring program is required by HWFP Module V, Groundwater Detection Monitoring, and is incorporated into the HWFP as Attachment L. This program has been implemented. On November 26, 2007, the NMED issued an NOV alleging deficiencies within the WlPP groundwater monitoring program (NMED, 2007b). These allegations included not measuring water densities in all wells annually, not providing qualifications for the WIPP Environmental Monitoring manager in response to RCRA inspection request; insufficient procedures for determining groundwater flow rate and direction in the vicinity of the WlPP site; and insufficient data

quality objectives for the groundwater level data. The Permittees have contested that the issues raised in the NOV constitute violations of the HWFP and have asserted that the NOV as unwarranted and requested that the NMED rescind the Notice. However, WIPP has also established a schedule for program improvements to address the specific issues raised by the NMED. Program improvements include, but are not limited to, completing two in-depth internal audits of the monitoring program and addressing issues identified in the audits with corrective action plans that are being tracked through closure. Several of the actions have already been completed.

25.2.3.30 Required Programs, 40 CFR §264.91 (20.4.1.500 NMAC)

> *The owner or operator must institute a detection monitoring program. The Secretary will specify in the facility permit the specific elements of the program.*

The WIPP Groundwater Monitoring Program Plan (WP 02-1) meets this requirement (WTSh). Semiannual monitoring is performed and results submitted to the NMED in accordance with HWFP Condition V.J.2, Submittal of Results.

25.2.3.31 Groundwater Protection Standard, 40 CFR §264.92 (20.4.1.500 NMAC)

> *The owner or operator must comply with conditions specified in the facility permit that are designed to ensure that hazardous constituents detected in the groundwater do not exceed concentration limits under 40 CFR §264.94*.

Detection monitoring program results confirmed there to be no statistically significant evidence of contamination during this reporting period as outlined in HWFP Condition V.J.3, Determination of Contamination, and HWFP Attachment L.

25.2.3.32 Hazardous Constituents, 40 CFR §264.93 (20.4.1.500 NMAC)

> *The Secretary will specify in the facility permit the hazardous constituents to which the groundwater protection standard applies.*

The NMED has specified the target analytes for the WIPP groundwater monitoring program. These are in the HWFP Module V, Table V.D, Parameter or Constituent.

25.2.3.33 Concentration Limits, 40 CFR §264.94

> *The Secretary will specify in the facility permit concentration limits in the groundwater for hazardous constituents*.

The NMED has not established these limits in the WIPP HWFP. (See Subsection 25.2.3.36.4 below.)

25.2.3.34 Point of Compliance, 40 CFR §264.95 (20.4.1.500 NMAC)

The Secretary will specify in the facility permit the point of compliance at which the groundwater protection standard applies and at which monitoring must be conducted.

The point of compliance is specified in HWFP Condition V.B, Identification of Point of Compliance, as "the vertical surface located perpendicular to the groundwater flow direction at the detection monitoring wells that extends to the Culebra Member of the Rustler Formation."

25.2.3.35 General Groundwater Monitoring Requirements, 40 CFR §264.97 (20.4.1.500 NMAC)

25.2.3.35.1 *The groundwater monitoring system must consist of a sufficient number of wells installed at appropriate locations and depths to yield groundwater samples from the uppermost aquifer.*

The number of wells and the well locations are identified in HWFP Module V, Table V.C.1, Well Locations.

25.2.3.35.2 *The groundwater monitoring program must include consistent sampling and analysis procedures. The groundwater monitoring program must include sampling and analytical methods that are appropriate for groundwater sampling and that accurately measure hazardous constituents in groundwater samples.*

The sampling and analysis procedures are specified in HWFP Condition V.E, Sampling and Analysis Procedures, and HWFP Attachment L. These procedures are implemented at WIPP.

25.2.3.35.3 *The groundwater monitoring program must include a determination of the groundwater surface elevation each time groundwater is sampled.*

Groundwater surface elevations are obtained before sampling activities occur, as specified in HWFP Condition V.G., Groundwater Surface Elevation Determination, and HWFP Attachment L.

25.2.3.35.4 *Data on each hazardous constituent specified in the permit will be collected from background wells and wells at the compliance point. The number and kinds of samples collected to establish background shall be appropriate for the form of statistical test employed. Groundwater monitoring data, including actual levels of constituents must be maintained in the facility operating record. The Secretary will specify in the permit when the data must be submitted for review.*

Background groundwater quality samples were collected and the data submitted to the NMED prior to receipt of TRU mixed waste at WIPP. Through implementation of the detection monitoring program, the Permittees submit groundwater monitoring results for required parameters and hazardous constituents to the NMED semiannually. Monitoring data are maintained in the facility operating record in accordance with HWFP Module V.

25.2.3.36 Detection Monitoring Program, 40 CFR §264.98 (20.4.1.500 NMAC)

25.2.3.36.1 *The Secretary will specify the parameters or constituents to be monitored in the facility permit.*

The parameters and constituents to be monitored are listed in HWFP Table V.D.

25.2.3.36.2 *The Secretary will specify the frequencies for collecting samples and conducting statistical tests to determine whether there is statistically significant evidence of contamination for any parameter or hazardous constituent specified in the permit.*

The sampling frequency is specified in HWFP Condition V.E.1, Sample Collection Procedures, and in HWFP Table L-2, WIPP Groundwater Detection Monitoring Program Sample Collection and Ground-water Surface Elevation Measurement Frequency.

25.2.3.36.3 *The owner or operator must determine the groundwater flow rate and direction at least annually.*

Groundwater flow rate and direction are determined at least annually as specified in HWFP Condition V.H.,Groundwater Flow Determination.

25.2.3.36.4 *The owner or operator must determine whether there is statistically significant evidence of contamination for any chemical parameter or hazardous constituent specified in the permit.*

Statistical analysis methods are specified in the WIPP Groundwater Detection Monitoring Plan. For each sampling event, comparisons were made, using the specified statistical methods, between the groundwater quality and the baseline groundwater quality established from background sampling in accordance with HWFP Condition V.I., Data Evaluation.

25.2.3.36.5 *If the owner or operator determines there is statistically significant evidence of contamination, additional reporting and sampling are required. In addition, a permit modification to establish a compliance monitoring program and submittal of additional information are required.*

The MOC will respond to any statistically significant contamination events as specified in the HWFP Condition V.J.3. No statistically significant contamination has been detected to date and, therefore, no corrective action under 40 CFR §264.100 (20.4.1.500 NMAC) is required.

25.2.3.37 Corrective Action for Solid Waste Management Units, 40 CFR §264.101

> *Corrective action will be specified in the permit in accordance with this section and subpart S of this part. The permit will contain schedules of compliance for such corrective action (where such corrective action cannot be completed prior to issuance of the permit) and assurances of financial responsibility for completing such corrective action.*

On April 20, 2007, NMED approved a no further action (NFA) petition submitted by the DOE in October 2002 (DOE, 2002b) (NMED, 2007e). All of the eighteen solid waste management units (SWMUs) and eight areas of concern (AOCs) listed in the HWFP Module VII are eligible for NFA. The Permittees submitted a Class 3 permit modification request to delete the SWMUs and AOCs from Module VII Tables 2 and 3, respectively, and list them on a new Table 4 entitled "SWMUs and AOCs Requiring No Further Action" (DOE/WTS, 2007) When approved, this modification will grant NFA status for the SWMUs and AOCs.

On February 28, 2008, the NMED issued public notice number 08-03, stating that the NMED intends to approve the August 27, 2007, Class 3 permit modification request (PMR) from the Permittees (NMED, 2008). The public comment period ended May 6, 2008.

25.2.3.38 Applicability of the Closure/Postclosure Requirements, 40 CFR §264.110 (20.4.1.500 NMAC)

> *Closure requirements apply to the owners and operators of all hazardous waste facilities. Postclosure requirements apply to all hazardous waste disposal facilities.*

The DOE has prepared a closure plan and a postclosure plan for WIPP. These are included in the HWFP (Attachment I, Closure Plan; and Attachment J, Post-Closure Plan). The Closure Plan contains three main phases. The first is closure of each HWDU after the panel is filled with the permitted capacity of TRU and TRU mixed waste. The second is closure of the parking Area and WHB storage units. The third is final closure, which occurs at the end of the disposal phase. Final closure entails clean closure of all surface units and backfilling the repository's four shaft seal systems. The Post-Closure Plan describes the active institutional controls which limit access to the facility and monitoring activities which ensure repository performance is protective of human health and the environment. The post-closure care period for WIPP begins following the closure of the first HWDU and continues for 30 years.

25.2.3.39 Closure Performance Standard, 40 CFR §264.111 (20.4.1.500 NMAC)

> *A closure performance standard is required to minimize the need for further maintenance; to control, minimize, or eliminate the post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated runoff, or hazardous waste decomposition*

products to the environment; and to comply with the other closure requirements of this subpart.

In accordance with the HWFP Closure Plan (Attachment I), closure will be deemed complete when all hazardous waste and hazardous waste residues have been removed from the storage units, all equipment and structures associated with the operation of the units have been decontaminated, the panels and facility are closed, and unit closure certification has been submitted to and approved by the NMED.

25.2.3.40 Closure Plan; Amendment of Plan, 40 CFR §264.112 (20.4.1.500 NMAC)

The owner/operator of a hazardous or mixed-waste management facility must have a written closure plan. The plan must identify the steps necessary to perform partial and/or final closure of the facility. The plan may be amended as needed. The owner or operator must notify the Regional Director in writing prior to the date on which closure will begin.

The DOE has prepared a written closure plan to satisfy the RCRA closure requirements. The NMED has incorporated this plan into the HWFP as the Closure Plan. The plan addresses the required steps for closure.

Closure of the HWDUs has been the subject of multiple changes and PMRs. The original closure design known as Option D entailed a concrete monolith and an explosion isolation wall. The Salado Mass concrete that was proposed for the construction of the monolith was determined through testing to not be constructible as specified in the HWFP. For this reason, in October of 2002, a Class 3 PMR was submitted to the NMED proposing a new closure design. This PMR is pending before the NMED. The original panel closure design was based on conservative models of gas generation and the Permittees have elected to monitor the actual gas generation in HWDUs to support a different closure design that will be protective of human health and the environment. During this reporting period, a January 2007 Class 1* PMR to change the closure schedule for Panels 1 through 8 was submitted to the NMED to preserve the ability to collect gas generation data and allow the NMED to act upon the October 2002 Class 3 PMR. The PMR included a Notice of Planned Change that involved the construction of a substantial isolation barrier in Panel 3 to remove the HWDU from ventilation and prevent the entry of personnel into the unit. This PMR was approved in February 2007.

25.2.3.41 Time Allowed for Closure, 40 CFR §264.113 (20.4.1.500 NMAC)

Within 90 days after receipt of the final volume of hazardous mixed waste at a hazardous waste management unit or facility, the owner or operator must treat, remove, or dispose of all hazardous/mixed wastes on-site in accordance with the approved closure plan. Partial or final closure activities must be complete in accordance with the approved closure plan within 180 days of receipt of the final volume of waste. An extension of time may be allowed if the

owner/operator can demonstrate that the activities required will take longer than the allotted time period and has taken and will continue to take all steps necessary to prevent threats to human health and the environment from the unclosed but nonoperational facility.

The time allowed for closure is addressed in the HWFP. See Subsection 25.2.3.40 regarding related PMRs.

25.2.3.42 Disposal or Decontamination of Equipment, Structures, and Soils, 40 CFR §264.114 (204.1.500 NMAC)

During the partial and final closure periods, all contaminated equipment, structures, and soils must be properly disposed of or decontaminated. By removing all hazardous constituents during closure, the owner/operator may become a mixed or hazardous waste generator and must handle all such waste in accordance with the requirements of 40 CFR Part 262.

The regulatory requirements for the disposal or decontamination of equipment, structures, and soils are addressed in MOC procedures, and include the removal of hazardous waste residues; the decontamination of equipment, structures, and soils; personnel decontamination; and sampling and QA.

25.2.3.43 Certification of Closure, 40 CFR §264.115 (20.4.1.500 NMAC)

Within 60 days of the completion of closure of each landfill unit and within 60 days of completion of final closure, the owner/operator must submit a certification that the hazardous or mixed waste unit has been closed in accordance with the specifications in the approved closure plan. The certification must be sent to the Secretary by registered mail and must be signed by the owner/operator and by an independent registered professional engineer.

The DOE will submit the Certification of Closure to the Secretary of the NMED within 60 days of completion of panel closure and final closure activities. See Subsection 25.2.3.40 regarding related permit modification requests including the delay of panel closure.

25.2.3.44 Survey Plat, 40 CFR §264.116 (20.4.1.500 NMAC)

The owner/operator must submit a survey plat to the Secretary and the authority with jurisdiction over local land use no later than the submittal of the certification of closure. The survey plat must indicate the location and dimensions of landfill cells or other

HWDUs with respect to permanently surveyed benchmarks. The plat must be prepared and certified by a professional land surveyor.

The survey plat will be submitted to the NMED following closure. The survey plat will indicate the location and dimensions of HWDUs with respect to permanently surveyed benchmarks. The plat will be prepared and certified by a professional land surveyor and will contain a prominently displayed note that states the DOE's obligation to restrict disturbance of the HWDU. Consistent with the requirements of the HWFP Closure Plan, Section I-2b, WIPP retains a survey plat of Panel 1.

25.2.3.45 Postclosure Care and Use of Property, 40 CFR §264.117 (20.4.1.500 NMAC)

Postclosure care for each hazardous/mixed-waste unit must begin after completion of closure and continue for 30 years after that date. All postclosure care must be performed in accordance with the postclosure plan for the facility.

Postclosure care and use of property will be performed in accordance with the Post-Closure Plan.

25.2.3.46 Postclosure Plan; Amendment of Plan, 40 CFR §264.118 (20.4.1.500 NMAC)

The owner/operator of a hazardous or mixed waste disposal unit must have a written postclosure plan. The plan, approved by the Secretary or designee, may be amended subject to the Secretary's approval.

The Post-Closure Plan is HWFP Attachment J.

25.2.3.47 Postclosure Notices, 40 CFR §264.119 (20.4.1.500 NMAC)

A record of the type, location, and quantity of hazardous/mixed wastes disposed of within each unit must be submitted to the NMED and the authority with jurisdiction over local land use no later than 60 days after submittal of the certification of closure. Within the same time frame, the owner/operator must also record a notation in the deed to the facility that the facility has been used to manage hazardous/mixed wastes and that the record of type, location, and quantity of waste disposal has been filed; the owner/operator must also certify that this notation has been recorded as required.

The DOE will submit to the NMED and to Eddy County within 60 days after certification of final closure, a registered professional engineer's certification. The DOE will also assure that this notification is properly recorded in the deed to the facility.

25.2.3.48 Certification of Completion of Postclosure Care, 40 CFR §264.120 (20.4.1.500 NMAC)

Within 60 days of the completion of postclosure of each landfill unit and within 60 days of completion of final postclosure, the owner/operator must submit a certification that the hazardous or mixed-waste unit has been closed in accordance with the specifications in the approved postclosure plan. The certification must be sent to the NMED Secretary by registered mail and must be signed by the owner/operator and by an independent registered professional engineer.

The DOE will notify the NMED within 60 days after completion of postclosure care, with a registered professional engineer's certification that the postclosure care period was performed in accordance with the HWFP Post-Closure Plan.

25.2.3.49 Title 40 CFR Subpart I, "Use and Management of Containers" (40 CFR §§264.171, 264.172, 264.173, 264.174, 264.175, 264.176, 264.177, 264.178 and 264.179) (20.4.1.500 NMAC)

Subpart I of 40 CFR addresses the requirements for the use and management of containers at TSDFs. This section addresses container condition, compatibility of wastes with containers, management of containers to prevent releases, keeping the containers closed, weekly inspections, containment, requirements for ignitible or reactive wastes, special requirements for incompatible wastes, closure, and the air emission standards.

HWFP Module III and Attachment M1, Container Storage, describe how the MOC complies with the requirements for the use and management of containers. Wastes are received in NRC Type B Packages, which are stored in the Parking Area Unit and opened in the applicable WHB Unit. Waste containers meeting DOT 7A specifications are removed from the NRC Type B Packages. The WIPP WAC and waste handling procedures are in place to ensure that waste is shipped to WIPP in DOT 7A waste containers that are in good condition. A compatibility study was conducted and submitted in Appendix C1 of the WIPP RCRA Part B Application (DOE, 1997c) to document that the containers used (steel construction, some containing polyethylene liners) meet the requirements of 40 CFR §264.172. Containers are not opened at WIPP and procedures are in place to ensure that every effort is taken to minimize the potential for damaging a container. Inspections are conducted at least weekly as described in HWFP Attachment D. Calculations demonstrating adequate secondary containment are included in HWFP Attachment M1. The WAP and WAC prohibit ignitible, reactive and incompatible wastes from being shipped to WIPP. All container storage areas will be

closed as described in HWFP Attachments I and I3, Radiological Surveys to Indicate Potential Hazardous Waste Releases. The air emission standards for containers are not applicable to TRU mixed wastes disposed of at WIPP. There were no exceptions to compliance with these requirements during the reporting period.

25.2.3.50 Title 40 CFR Subpart X, "Miscellaneous Units," (40 §§CFR 264.601, 264.602 and 264.603)

A miscellaneous unit must be located, designed, and operated, maintained and closed in a manner that will ensure protection of human health and the environment. Monitoring, testing, analytical data, inspections, response and reporting procedures and frequencies must protect human health and the environment. A miscellaneous unit must be maintained in manner that complies with the environmental performance standards during the postclosure care period.

HWFP Module IV, Geologic Repository Disposal, and Attachment M2 describe the location, design, operation, and maintenance of the geologic repository and associated environmental monitoring. Monitoring and testing includes geomechanical, ventilation rate, and VOC monitoring. Reports are submitted to the NMED to demonstrate compliance with these requirements. Each underground HWDU will be closed in accordance with the Closure Plan (Attachment I); Technical Specifications, Panel Closure System (Attachment I1-G); and the final repository closure plan incorporated into the HWFP as Attachment I2, Shaft Sealing System Compliance Submittal Design Report. The Post-Closure Plan (Attachment J) describes the activities required to maintain WIPP after the completion of facility closure. The WIPP site maintained compliance with these requirements during the reporting period.

25.2.4 Compliance With the Hazardous/Mixed Waste Permit Program, 40 CFR Part 270 (20.4.1.900 NMAC and 20.4.1.901 NMAC)

The requirements of 40 CFR Part 270 pertain to general Hazardous Waste Facility permitting requirements for TSDFs and include provisions for submitting applications, standard permit conditions, monitoring and reporting requirements, and modifying permits. The compliance status of each applicable requirement is summarized in the text below.

25.2.4.1 Purpose and Scope of the Hazardous Waste Facility Permit Program Regulations, 40 CFR §270.1 (20.4.1.900 NMAC)

The purpose and scope of the HWFP program regulations are defined, and the regulations are summarized.

The DOE submitted a HWFP application to the NMED. The Permit Application was for the storage of hazardous waste in two units (Parking Area Unit and WHB Unit) in accordance with 40 CFR Part 264, Subpart I, and for the disposal of hazardous waste

(underground HWDUs) in accordance with 40 CFR Part 264, Subpart X. Hearings on the draft permit and final permit issuance occurred in February and March 1999. The NMED has updated the HWFP several times to incorporate permit modifications, the most recent update occurred on March 25, 2008. Subsection 25.2.4.5 lists permit modification requests with dates of submission that occurred during this reporting period.

25.2.4.2 Signatories to Permit Applications and Reports, 40 CFR §270.11 (20.4.1.900 NMAC)

Signatories to permit applications shall be by a senior executive officer with responsibility for overall operations for a federal agency and/or a responsible corporate officer for a corporation. Reports and plans required by permits (e.g., the annual waste minimization plan) and other information requested shall be signed by a duly authorized representative. Any person signing one of these documents is required to make the certification statement specified in 40 CFR §270.11(d).

The requirement is incorporated into HWFP Condition I.F., Signatory Requirement. The manager of the DOE CBFO has signatory authority on behalf of the owner/operator DOE, and the General Manager of the MOC has signatory authority as the co-operator and a co-permittee.

25.2.4.3 Conditions Applicable to all Permits, 40 CFR §270.30 (20.4.1.900 NMAC)

Conditions applicable to all permits are specified and include duty to comply, duty to reapply, minimization of releases, proper operation and maintenance, permit actions, property rights, duty to provide information, inspection and entry, monitoring and records, signatory requirements, and reporting requirements.

The general permit conditions are incorporated into HWFP Module I. The Permittees comply with these permit conditions by incorporating the requirements into procedures.

25.2.4.4 Requirements for Recording and Reporting of Monitoring Results, 40 CFR §270.31 (20.4.1.900 NMAC)

Requirements for recording and reporting monitoring results will be specified in the HWFP.

The requirements for recording and reporting monitoring results are incorporated into the HWFP. The Permittees comply with these requirements by submitting numerous permit required reports such as semiannual groundwater monitoring reports, an annual mine ventilation rate report, a semiannual VOC monitoring report, and others.

25.2.4.5 Permit Modification at the Request of the Permittee, 40 CFR §270.42 (20.4.1.900 NMAC, and 20.5.1.901 NMAC)

After a HWFP has been finalized, the permittee may request that it be modified. Three classes of modifications are identified in Appendix I to 40 CFR §270.42. Class 1, the least significant of the permit modifications, covers minor modifications such as the correction of typographical errors; changes to conform with agency guidelines or regulations; or procedural changes that increase the frequency of monitoring, reporting, sampling, or maintenance activities. Class 1 modifications may require approval of the Director prior to implementation (i.e., Class 1 permit modifications), or require notification of the Director within seven days after the change has been made. All persons on the facility mailing list must be notified within 90 calendar days after the change is put into effect or after the request, whichever applies.*

Class 2 modifications are more extensive and significant and apply to changes needed to allow timely response to common variations in the types and quantities of wastes managed, technological advancements, and changes in the regulations (e.g., changes in emergency procedures or removal of equipment from the emergency equipment list). They require that the permittee submit a modification request to the Director, announce a 60-day comment period, notify all persons on the facility mailing list, publish the notice in a major local newspaper of general circulation, and hold a public meeting.

Class 3 modifications are the most significant and potentially impactive and substantially alter the facility or its operation (e.g., extending the closure period or a final compliance date; creating a new landfill or other type of unit or increasing the capacity of a preexisting one). The notification and other requirements are similar to those for Class 2 modifications.

The DOE has notified the NMED of several Class 1 permit modification notifications, and three Class 1*, two Class 2, and one Class 3 permit modification requests during this reporting period as outlined below.

Hazardous Waste Facility Permit Modifications Submitted During This Reporting Period (April 1, 2006, through March 31, 2008)		
Class	**Subject**	**Date**
1*	Revise Requirements for Listing Hazardous Waste Numbers on Manifests	8/31/2006
1	Update Contingency Plan	11/30/2006
1	Correct References	10/17/2006
1*	Change to Closure Schedules for Panels 1-8	1/11/2007

Hazardous Waste Facility Permit Modifications Submitted During This Reporting Period (April 1, 2006, through March 31, 2008)		
Class	**Subject**	**Date**
1	Resolve Inconsistencies	1/18/2007
1	Revise Panel 4 Figures	1/19/2007
1	Insert New Part A Form in Attachment O	1/26/2007
2	Miscellaneous Changes - Training requirements, preventive maintenance procedure frequencies, remove description of brush truck, revise Incident Level II requirements, etc.	3/21/2007
1	Storage of Records	7/25/2007
1	Change to 45-day Public Comment Period	8/14/2007
3	No Further Action for SWMUs and AOCs	8/27/2007
1	Change to WTS General Manager	9/11/2007
1*	Change in Operational Control	11/19/2007
2	Hydrogen and Methane Monitoring	11/20/2007
2	Electronic Operating Record	11/20/2007
1	Editorial Changes	2/1/2008

25.2.5 Compliance With the Universal Waste Management Regulations Under 40 CFR Part 273 (20.4.1.1000 NMAC)

The MOC manages nickel-cadmium and lithium batteries and used lamps at WIPP under these regulations. The WIPP facility typically does not generate pesticide waste and rarely generates thermostat waste. Spent lead acid batteries are returned to the manufacturer for recycling and thus, are managed under the regulations at 40 CFR §266.80 (20.4.1.700 NMAC) rather than these regulations.

25.2.5.1 Standards for Universal Waste, Small Quantity Handlers, 40 CFR Part 273, Subpart B (20.4.1.1000 NMAC)

Small-quantity handlers are those who accumulate less than 5,000 kg of universal waste at any one time.

WIPP is a small-quantity handler of universal waste, as defined in 40 CFR §273.9. The MOC manages nickel-cadmium batteries, lithium batteries, and used lamps at WIPP under the universal waste regulations.

25.2.5.2 Prohibitions, 40 CFR §273.11 (20.4.1.1000 NMAC)

Universal waste is not to be disposed of or diluted or treated to render it less hazardous except by responding to a release of universal waste or by managing the waste as provided in 40 CFR §273.13.

Universal waste is not treated at the WIPP site. Universal waste is handled in accordance with the requirements of 40 CFR Part 273. The universal waste was shipped off-site to a permitted facility.

25.2.5.3 Waste Management, 40 CFR §273.13 (20.4.1.1000 NMAC)

Universal waste must be properly contained so as to prevent releases and must lack evidence of leakage, spillage, etc.

Universal waste is managed in accordance with MOC hazardous and universal waste management programs and procedures. It is contained, stored in the Universal Waste Storage Area, and inspected weekly for evidence of spillage or leakage. Compliance was maintained during the reporting period.

25.2.5.4 Labeling/Marking, 40 CFR §273.14 (20.4.1.1000 NMAC)

Universal waste must be labeled or marked appropriately (e.g., universal waste batteries).

Universal waste containers were marked with the words "Universal Waste," a brief description of the container contents, and the accumulation start date, in accordance with MOC hazardous and universal waste management plans and procedures.

25.2.5.5 Accumulation Time Limits, 40 CFR §273.15 (20.4.1.1000 NMAC)

A small-quantity universal waste handler may accumulate universal waste for up to one year from the date the waste was generated. The handler must be able to demonstrate the length of time that the waste has been accumulated from the date it becomes a waste or is received.

In accordance with the MOC hazardous waste management plans and procedures, the MOC logs the date universal waste is generated at WIPP and the date universal waste is shipped to an off-site TSDF for recycling. In accordance with inspection procedures, the MOC checks the accumulation date during weekly inspections to ensure that the one-year storage limit is not exceeded. The MOC has been in compliance with these requirements.

25.2.5.6 Employee Training, 40 CFR §273.16 (20.4.1.1000 NMAC)

Employees who handle or are responsible for managing universal waste should be provided with the appropriate information needed with respect to proper handling and appropriate emergency procedures for the type of universal waste being managed at the facility.

The handlers of universal waste and those responsible for its management are trained hazardous waste workers. This training applies to universal waste handlers and managers.

25.2.5.7 Responses to Releases, 40 CFR §273.17 (20.4.1.1000 NMAC)

> *All releases of universal wastes and residues from such wastes must be contained immediately; any material resulting from the release must be assessed to determine if it is hazardous waste; if so, it must be managed in compliance with all applicable RCRA regulations.*

Any such releases of universal waste are characterized and managed in accordance with procedures and processes in place for hazardous and universal waste. There were no releases of universal waste during the reporting period.

25.2.5.8 Off-Site Shipments, 40 CFR §273.18 (20.4.1.1000 NMAC)

> *A small-quantity universal waste generator may send its universal waste only to another universal waste handler, a destination facility, or a foreign destination.*

Universal waste was shipped to a permitted off-site facility during the reporting period.

25.2.6 Compliance With the UST Regulatory Requirements Under 20.5 NMAC

This section of the report will examine the New Mexico UST requirements as they pertain to WIPP. WIPP's compliance status is summarized in the text below.

25.2.6.1 Scope, 20.5.1.2 NMAC (40 CFR §280.10)

> *Any owner or operator of an UST that contains a hazardous substance or petroleum product must meet the standards set by the New Mexico Environmental Improvement Board in the New Mexico UST regulations.*

There are two 8,000-gallon USTs at WIPP; one contains unleaded gasoline, and the other contains diesel fuel.

25.2.6.2 Existing Tanks, 20.5.2.200 NMAC

> *The owner of any UST must register such tank or tanks with the NMED Petroleum Storage Tank Bureau within three months after April 14, 1988, the effective date of this Part II as first adopted, except that any owner who has filed the form of notice entitled "Notification for Underground Storage Tanks," prescribed by the EPA and described in 40 CFR Part 280, is not required to register*

a tank for which a notice has been filed, provided that the information provided is still current.

Registration becomes effective upon receipt of the first year's annual fee described in Subsections 25.2.6.10 and 25.2.6.11. Registration must be renewed annually by payment of the annual fee until the permanent closure of the tank.

Both USTs at WIPP are properly registered with the NMED Petroleum Storage Tank Bureau.

25.2.6.3 Transfer of Ownership, 20.5.2.201 NMAC

If ownership of a storage tank system changes, the new owner must re-register the tank with the NMED Petroleum Storage Tank Bureau within 30 days of ownership transfer, using a form provided by the NMED Petroleum Storage Tank Bureau.

This section is not applicable since ownership of the tanks has not been transferred.

25.2.6.4 New Storage Tank Systems, 20.5.2.202 NMAC

The owner must notify the NMED Petroleum Storage Tank Bureau in writing at least 30 days before any new tank or UST system is installed and must register any new tank or UST system with the NMED Petroleum Storage Tank Bureau prior to placing it in service.

No new aboveground or UST systems were installed during this reporting period.

25.2.6.5 Substantially Modified Storage Tank Systems, 20.5.2.203 NMAC

When an existing storage tank system is substantially modified or replaced, the owner must notify the NMED Petroleum Storage Tank Bureau in writing of such modification or replacement at least 15 days prior to the modification or replacement. Emergency repairs or replacements are exempt from these notification requirements.

No UST systems were substantially modified during this reporting period.

25.2.6.6 Notification of Spill or Release, 20.5.2.204 NMAC

Notice of any known or suspected release from a storage tank system, any spill, or any other emergency situation must be given to the NMED in accordance with 20.5.7 NMAC.

No releases from USTs occurred during this reporting period.

25.2.6.7 Emergency Repairs and Tank Replacement, 20.5.2.205 NMAC

Immediate repairs or replacement of a storage tank system may be made in the event an emergency situation presents a threat to the public health, provided notice is given to the NMED.

No such emergency repair or replacement of a storage tank system was necessary during this reporting period.

25.2.6.8 Registration, 20.5.2.206 NMAC

All storage tanks must be registered on application forms provided by the NMED unless the EPA form (Notification for Underground Storage Tanks) has been submitted to the NMED and all information contained therein is still accurate. An application submitted by a municipal, state, or other public facility must be signed by either a principal executive officer, ranking elected official, or other duly authorized employee.

The New Mexico storage tank registration form is used to register the USTs at WIPP.

25.2.6.9 Registration Certificate, 20.5.2.207 NMAC

Upon submittal of a complete registration application or the EPA form and payment of the annual fee, the NMED shall issue a validated registration certificate which is current and valid and must be displayed on the premises of the storage tank system at all times. In the event that any information provided on the registration form or the EPA form changes or is no longer accurate, the change must be reported to the NMED on the appropriate form within 30 days.

The current registration certificate from the NMED is displayed in Facility Operations at the WIPP facility.

25.2.6.10 Payment of Fee, 20.5.3.300 NMAC

An annual per-tank fee shall be paid to the NMED no later than July 1 for each current calendar year or portion of a year that a tank is in use. A tank shall be deemed "in use" until notice is received by the NMED that the tank has been removed or otherwise permanently closed in a manner acceptable to the division.

The annual fee for a new tank placed in service after July 1 for any calendar year after 1989 shall be paid within 30 days after the tank

is placed in service. The annual fees shall be designated to the Hazardous Waste and Underground Storage Tank Fund.

The annual WIPP storage tank fees were paid by July 1, 2006, and July 1, 2007.

25.2.6.11 Amount of Fee, 20.5.3.301 NMAC

The annual fee for each UST is $100.00 per tank.

The annual UST fee paid by WIPP is $200.

25.2.6.12 Late Payment Penalties, 20.5.3.302 NMAC

In the event that the annual fee is not paid when due, a late fee of $25.00 or 25 percent of the unpaid fee, whichever is greater, shall be imposed and shall accumulate until the annual fee and all accrued late fees and interest charges are paid.

No late payment penalties have been incurred.

25.2.6.13 Performance Standards for New UST Systems - Tanks, Subsection A of 20.5.4.400 NMAC (40 CFR §280.20[a])

Each tank must be properly designed and constructed, and any portion underground must be protected from corrosion in accordance with a code by a nationally recognized association or independent testing laboratory as specified. Each tank may be constructed of fiberglass-reinforced plastic; steel, with cathodic protection; or steel-fiberglass-reinforced-plastic composite. The tank may be constructed of metal without additional corrosion protection if the conditions apply as described in 20.5.4.400A(5) NMAC.

The tanks are designed and constructed of fiberglass-reinforced plastic in accordance with the appropriate standards.

25.2.6.14 Design and Construction of Piping, Subsection B of 20.5.4.400 NMAC (40 CFR §280.20[b])

The piping that routinely contains regulated substances and is in contact with the ground must be properly designed, constructed, and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified. The piping is constructed of fiberglass-reinforced plastic; or steel, with cathodic protection; or metal without additional corrosion protection measures provided that the piping is installed at a non-corrosive site and records are

maintained that demonstrate the non-corrosivity of the site for the remaining life of the piping. The piping construction and corrosion protection are determined by the implementing agency to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment.

The piping is constructed of fiberglass-reinforced plastic in accordance with the appropriate standards.

25.2.6.15 Performance Standards for New UST Systems - Spill Prevention Equipment, Paragraph (1) of Subsection A of 20.5.4.402 NMAC (40 CFR §280.20[c][1][I])

Owners and operators must use spill prevention equipment that will prevent the release of product to the environment when the transfer hose is detached from the fill pipe (for example, a spill catchment basin).

The WIPP UST system uses a spill catchment basin.

25.2.6.16 Overfill Prevention Equipment, Paragraph (2) of Subsection A of 20.5.4.402 NMAC (40 CFR §280.20[c][1][ii])

Overfill-prevention equipment must be used that will automatically shut off flow into the tank when the tank is no more than 95 percent full; alert the transfer operator when the tank is no more than 90 percent full by restricting the flow into the tank or triggering a high-level alarm; or restrict the flow 30 minutes prior to overfilling, alert the operator with a high-level alarm one minute before overfilling, or automatically shut off flow into the tank so that none of the fittings located on top of the tank is exposed to product due to overfilling. Owners and operators may use alternative equipment if it is determined by the implementing agency to be no less protective of human health and the environment than the equipment specified above or if the UST system is filled by transfers of no more than 25 gallons at one time.

The Model 310 extractor vent valve is used to automatically shut off the flow into the tank when the tank is no more than 95 percent full. This valve is a permanent part of the system.

25.2.6.17 Installation, Subsection C of 20.5.4.400 NMAC (40 CFR §280.20[d])

All tanks and piping must be properly installed in accordance with a code of practice developed by a nationally recognized

association or independent testing laboratory and in accordance with the manufacturer's instructions.

The installer (Cline Pump Company) certified on the NMED application that the methods used to install the tanks and piping comply with the requirements. Cline Pump Company has supplied the DOE with copies of qualified certification.

25.2.6.18 Certificate of Installation, Subsection B of 20.5.4.402 NMAC (40 CFR §280.20[e])

All owners and operators must ensure that one or more of the specified methods of certification, testing, or inspection was used to demonstrate compliance with Subsection 25.2.6.17 above by providing a certification of compliance on the UST notification form required by 20.5.2 NMAC. The allowable methods of certification for the installer are certification by the tank and piping manufacturers; certification or licensing by the implementing agency; inspection and certification of the installation by a registered professional engineer with education and experience in UST system installation, inspection and approval by the implementing agency, or the presence of a representative from the UST Bureau of the NMED at the installation; completion of all work listed on the manufacturer's installation checklists; or compliance with another method for ensuring compliance with this section that is determined by the implementing agency to be no less protective of human health and the environment.

A certified tank installer was used to install the USTs at WIPP. The installation of the new systems was inspected and approved by an NMED representative who was present during the installation.

25.2.6.19 Certificate of Compliance and Notification Requirements, 20.5.4.406 NMAC (40 CFR §280.22)

In the registration application required by 20.5.2 NMAC, all owners and operators of new UST systems must certify compliance with the installation requirements of UST systems Section 400C, cathodic protection requirements for steel tanks and piping under Section 400, financial responsibility under 20.5.9 NMAC, and release detection under 20.5.4.602, 20.5.4.603, and 20.5.4.604 NMAC. The owners and operators must also ensure that the installer certifies that the methods used to install the tanks and piping comply with the requirements in Section 400C.

The notification requirements pertain to the person who sells a tank intended to be used as an UST.

As outlined in the registration form, the certification requirements were met. Cathodic protection requirements are not applicable since neither the tank nor the piping is made of steel. Financial responsibility requirements cited in 20.5.9.1.900.C NMAC are not applicable because WIPP is a federal facility. Notification requirements apply only to the person who sold the tank to be used as an UST and do not apply to WIPP.

25.2.6.20 Spill and Overfill Control, Subsection A of 20.5.5.500 NMAC (40 CFR §280.30)

Owners and operators must ensure that any releases due to spilling or overfilling do not occur, that the volume available in the tank is greater than the volume of product to be transferred to the tank before the transfer is made, and that the transfer operation is monitored constantly to prevent overfilling and spilling.

The new tanks are equipped with spill and overfill protection equipment. Applicable MOC hazardous material spill and release response plans and procedures are in place that govern the transfer of product to the tanks and that specify requirements for reporting, cleaning up, and investigating spills or overfills.

25.2.6.21 Compatibility, 20.5.5.502 NMAC (40 CFR §280.32)

Owners and operators must use an UST system made of or lined with materials that are compatible with the substance stored in the UST system.

Fiberglass-reinforced plastic is compatible with unleaded gasoline and diesel fuel.

25.2.6.22 Repairs Allowed, Subsection A of 20.5.5.503 NMAC (40 CFR §280.33[a])

Repairs to UST systems must be properly conducted in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory.

No repairs were made during this reporting period.

25.2.6.23 Repairs to Fiberglass-Reinforced Plastic Tanks, Subsection B of 20.5.5.503 NMAC (40 CFR §280.33[b])

Repairs to fiberglass-reinforced plastic tanks may be made by the manufacturer's authorized representatives or in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory.

No repairs were made during this reporting period.

25.2.6.24 Repairs of Pipe Sections and Fittings, Subsection C of 20.5.5.503 NMAC (40 CFR §280.33[c])

Metal pipe sections and fittings that have released product as a result of corrosion or other damage must be replaced. Fiberglass pipes and fittings may be repaired in accordance with the manufacturer's specifications.

No repairs to pipes or fittings were performed during this reporting period.

25.2.6.25 Tightness Testing After Repairs, Subsection D of 20.5.5.503 NMAC (40 CFR §280.33[d])

Repaired tanks and piping must be tightness tested in accordance with Subsection C of 20.5.6.603 NMAC and Subsection B of 20.5.6.604 NMAC within 30 days after the date of the completion of the repair except as provided in this section.

No repairs to tanks or piping were required during this reporting period.

25.2.6.26 Records of all Repairs, Subsection F of 20.5.5.503 NMAC (40 CFR §280.33[f])

UST system owners and operators must maintain records of each repair for the remaining operating life of the UST system to demonstrate compliance with the requirements of this section.

No repairs were performed on the USTs during this reporting period. When UST system repairs are necessary, the records will be maintained at WIPP for the life of the UST system.

25.2.6.27 Reporting, Subsection A of 20.5.5.504 NMAC (40 CFR §280.34[a])

Owners and operators must submit the following information to the NMED: registration of all storage tank systems, including certification of installation for new UST systems (20.5.2 NMAC); reports of all releases (including suspected releases, spills, and overfills) and confirmed releases; corrective actions planned or taken; and a notification before permanent closure or change in service.

As discussed in Subsections 25.2.6.2 through 25.2.6.9, WIPP has complied with the notification and certification requirements for the two USTs. The MOC has procedures in place to implement the notification requirements in the event of a release.

25.2.6.28 Record-Keeping Requirements, Subsection B of 20.5.5.504 NMAC (40 CFR §280.34[b])

Owners and operators must maintain the following information: a corrosion expert's analysis of site corrosion potential if corrosion protection equipment is not used, documentation of operation of corrosion protection equipment, documentation of storage tank system repairs, recent compliance with release detection requirements, and the results of the site investigation required prior to permanent closure.

As discussed in Subsections 25.2.6.15 through 25.2.6.26, WIPP is in compliance with these requirements, and the appropriate records to demonstrate compliance are maintained.

An MOC procedure addresses the retention of monitoring results.

25.2.6.29 Availability and Maintenance of Records, Subsection C of 20.5.5.504 NMAC (40 CFR §280.34[c])

The applicable records must be kept either at the storage tank site and immediately available for inspections by the NMED or at a readily available alternative site and be provided to the NMED upon request.

The UST records are maintained at the WIPP site and are readily available to NMED inspectors.

25.2.6.30 Inspections, Monitoring, and Testing, Subsection A of 20.5.5.505 NMAC

For the purpose of enforcing the provisions of these regulations, any owner and operator of a storage tank shall, upon the request of the secretary or authorized department representatives, furnish information relating to such tanks, including tank equipment and contents, conduct monitoring or testing, and permit the department representative at all reasonable times to have access to, and to copy all records relating to such tanks. Owners and operators shall comply with all applicable and appropriate Occupational Health and Safety Act requirements, NMSA 1978, Sections 50-9-1 through 50-9-25, so that storage tanks may be safely inspected. For the purpose of enforcing these regulations, department officers, employees, or representatives are authorized:

(1) To enter at reasonable times any establishment or place where a storage tank is located;

(2) To inspect the storage tank system and obtain samples of its contents; and

(3) To conduct monitoring or testing of the tanks, associated equipment, contents, or surrounding soils, air, surface water, or groundwater.

NMED personnel are allowed to inspect the storage tank systems at any reasonable time. They are also allowed to sample the contents of the storage tanks. Monitoring or testing of the tanks and associated equipment and contents or the surrounding soils, air, or surface or groundwater may also be performed. Inspections were conducted by the NMED Petroleum Storage Tank Bureau on March 26, 2007, and March 24, 2008. No violations were identified as a result of the inspections.

Applicable and appropriate occupational safety and health requirements are met in accordance with the WIPP ISMS, which focuses on accomplishing work safely, protecting workers, the public, and the environment.

25.2.6.31 Inspections of Storage Tank Installations, Repairs or Modifications, or Removals or System Closures, Subsection C of 20.5.5.505 NMAC

Owners, operators, and certified tank installers shall give at least 30 days' written notice before the installation, modification or repair of a storage tank system. It may not be feasible for owners, operators, and certified tank installers to provide advance notice of emergency repairs; however, owners, operators, and certified tank installers shall provide notice of emergency repairs as soon as possible after completing emergency repairs. Owners, operators and certified tank installers shall give oral notice at least 24 hours in advance of the commencement of the procedure. If owners, operators, and certified tank installers are separate persons, only one person is required to comply with the notice requirements of this Subsection; however, all parties are liable in the event of noncompliance.

No installations, repairs, or modifications to the UST systems occurred during this reporting period. In the event that any installation, repair, or modification to the UST systems is planned, the NMED will be provided the appropriate notice.

25.2.6.32 Deadlines for Release Detection for All Storage Tank Systems, General Requirements, Subsection A of 20.5.6.600 NMAC (40 CFR §280.40[a])

Owners and operators of new and existing UST systems must provide a method, or combination of methods, of release detection that can detect a release from any portion of the tank and the connected underground piping that routinely contains product; is installed, calibrated, operated, and maintained in accordance with the manufacturer's instructions, including routine maintenance and

service checks for operability or running condition; meets the performance requirements; and must be capable of detecting the leak rate or quantity specified for that method in the corresponding section of the rule with a probability of detection of 0.95 and a probability of false alarm of 0.05.

The UST system uses interstitial monitoring to detect releases. There are sensors between the walls at the lowest end of the piping and tank. Interstitial monitoring is adequate because it can detect a release through the inner wall in any portion of the double-walled tank and/or piping that regularly contains product. The system is equipped with an alarm that will sound in the event of a leak into the interstitial area. In addition, MOC personnel conduct a test and compile a weekly report to assure correct operations of the leak detection system. Inspection and maintenance of the leak detection system are performed by a certified UST repairman.

25.2.6.33 Notification of Releases, Subsection B of 20.5.6.600 NMAC (40 CFR §280.40[b])

When a release detection method operated in accordance with the performance standards in 20.5.6.603 NMAC and 20.5.6.604 NMAC indicate that a release may have occurred, owners and operators must notify the NMED in accordance with 20.5.2.204 NMAC and 20.5.7 NMAC.

No releases or suspected releases occurred with the current UST system during this reporting period.

25.2.6.34 Schedule for Required Release Detection, Subsection C of 20.5.6.600 NMAC (40 CFR §280.40[c])

Owners and operators of all UST systems must comply with the release-detection requirements of this part by December 22 of the year listed in the schedule in 40 CFR §280.40(c).

The current UST systems were installed on February 10, 1992. The current systems meet the release-detection requirements of this part.

25.2.6.35 Requirements for Tanks of Petroleum UST Systems, Subsection A of 20.5.6.601 NMAC (40 CFR §280.41[a])

Tanks must be monitored at least every 30 days for releases using one of the methods listed in 20.5.6.603 NMAC, except that UST systems that meet the performance standards and the monthly inventory control requirements may use tank tightness testing at least every five years until December 22, 1998, or until ten years after the tank is installed or upgraded, whichever is later; UST systems that do not meet the performance standards may use

monthly inventory controls and annual tank tightness testing until December 22, 1998, when the tank must be upgraded or permanently closed; and tanks with a capacity of 550 gallons or less may use weekly tank gauging.

The interstitial monitoring system meets the release-detection requirement. Should the interstitial system become inoperable, monthly inventory controls will be used. In this contingency situation, tank tightness testing will be performed every five years.

25.2.6.36 Requirements for Piping of Petroleum UST Systems, Subsection B of 20.5.6.601 NMAC (40 CFR §280.41[b])

Underground piping that routinely contains regulated substances must be monitored for releases in a manner that meets the requirements for pressurized or suction piping.

See Subsection 25.2.6.38 below, which specifies the requirements for suction piping as used in the UST systems at WIPP.

25.2.6.37 Requirements for Pressurized Piping, Paragraph (1) of Subsection B of 20.5.6.601 NMAC (40 CFR §280.41[b][1])

Underground piping that conveys regulated substances under pressure must be equipped with an automatic line leak detector and have an annual line-tightness test or have monthly monitoring conducted.

This requirement is not applicable since the current UST system operates under suction piping.

25.2.6.38 Requirements for Suction Piping, Paragraph (2) of Subsection B of 20.5.6.601 NMAC (40 CFR §280.41[b][2])

Underground piping that conveys regulated substances under suction must either have a line tightness test conducted at least every three years in accordance with 20.5.6.604.B NMAC, or use a monthly monitoring method conducted in accordance with 20.5.6.604.C NMAC. No release detection is required for suction piping that is designed and constructed to meet the following standards: the below-grade piping operates at less than atmospheric pressure; the below-grade piping is sloped so that the contents of the pipe will drain back into the storage tank if the suction is released; only one check valve is included in each suction line; the check valve is located directly below and as close as practical to the suction pump; and a method is provided that allows compliance with this section to be readily determined.

WIPP USTs have double-walled fiberglass suction piping with a line leak sensor within the interstitial space as noted in Subsection 25.2.6.32. The below-grade piping will drain back into a foot valve within the storage tank.

25.2.6.39 Requirements for Hazardous Substance UST Systems, 20.5.6.602 NMAC (40 CFR §280.42)

A number of release-detection requirements are specified for UST systems that contain hazardous substances.

There are no UST systems at WIPP that contain hazardous substances. These requirements do not apply to this facility.

25.2.6.40 Methods of Release Detection for Tanks, 20.5.6.603 NMAC (40 CFR §280.43)

A number of requirements for the acceptable release-detection methods are specified. The release-detection methods described are inventory control, manual tank gauging, tank-tightness testing, automatic tank gauging, vapor monitoring, groundwater monitoring, interstitial monitoring, and other methods.

The MOC uses interstitial monitoring to meet this requirement.

25.2.6.41 Inventory Control, Subsection A of 20.5.6.603 NMAC (40 CFR §280.43[a])

Product inventory control (or another test of equivalent performance) must be conducted monthly to detect a release of at least 1.0 percent of flow-through plus 130 gallons on a monthly basis in the following manner: inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank are recorded each operating day; the equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch; the regulated substance inputs are reconciled with delivery receipts by measurement of the tank inventory volume before and after delivery; deliveries are made through a drop tube that extends to within one foot of the tank bottom; product dispensing is metered and recorded within the local standards for meter calibration or an accuracy of six cubic inches for every five gallons of product withdrawn; and the measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month.

Inventory control is a "contingency" method used only if the interstitial monitoring system fails. The MOC underground fuel station operation procedure addresses the requirements for using this method if this situation arises. Compliance with the

requirement for a drop tube extending to within one foot of the tank bottom has been verified through discussions with the installing organization. The stick reading can measure to the nearest one-eighth of an inch.

25.2.6.42 Interstitial Monitoring, Subsection G of 20.5.6.603 NMAC (40 CFR §280.43[g])

Interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it may be used, but only if the system is designed, constructed, and installed to detect a leak from any portion of the tank that routinely contains product and also meets one of the following requirements: for double-walled UST systems, the sampling or testing method can detect a release through the inner wall in any portion of the tank that routinely contains product; for UST systems with a secondary barrier within the excavation zone, the sampling or testing method used can detect a release between the UST system and the secondary barrier; the secondary barrier around or beneath the UST system consists of artificially constructed material that is sufficiently thick and impermeable (at least 10^{-6} cm/sec for the regulated substance stored) to direct a release to the monitoring point and permit its detection; the barrier is compatible with the regulated substance stored so that a release from the UST system will not cause a deterioration of the barrier, allowing a release to pass through undetected; for cathodically protected tanks, the secondary barrier must be installed so that it does not interfere with the proper operation of the cathodic protection system; the groundwater, soil moisture, or rainfall will not render the testing or sampling method used inoperative so that a release could go undetected for more than 30 days; the site is assessed to ensure that the secondary barrier is always above the groundwater and is not located in a 25-year flood plain, unless the barrier and monitoring designs are for use under such conditions; monitoring wells are clearly marked and secured to avoid unauthorized access and tampering; and, for tanks with an internally fitted liner, an automated device can detect a release between the inner wall of the tank and the liner, and the liner is compatible with the substance stored.

The interstitial monitoring system is the primary method of release detection for the UST system. The as-built engineering drawings verify that this method can detect a release through the inner wall in any portion of the tank that routinely contains product.

25.2.6.43 Methods of Release Detection of Piping, 20.5.6.604 NMAC (40 CFR §280.44)

Each method of release detection for piping used to meet the requirements of 20.5.6.601 NMAC must be conducted in

accordance with specific requirements for automatic line leak detectors, line tightness testing, or applicable tank methods, or interstitial monitoring

The interstitial monitoring system meets the release-detection requirement. Should the interstitial system become inoperable, monthly inventory controls will be used. In this contingency situation, tank tightness testing will be performed every five years.

25.2.6.44 Other Methods of Detecting Releases, 20.5.6.605.C NMAC (40 CFR §280.43[h])

Any other method may be used if it can detect a 0.2-gallon-per-hour leak rate or a release of 150 gallons within a month with a probability of detection of 0.95, and a probability of false alarm of 0.05, and it has been approved by the NMED.

The MOC does not use any methods of release detection other than the ones described in Subsection 25.2.6.42 above.

25.2.6.45 Release Detection Recordkeeping, 20.5.6.606 NMAC (40 CFR §280.45)

All storage tank system owners and operators shall maintain records in accordance with 20.5.5.504 NMAC, which demonstrate compliance with all applicable requirements in 20.5.6 NMAC. All written performance claims pertaining to any release detection system used, and the manner in which these claims have been justified or tested by the equipment manufacturer or installer, must be maintained for five years, or for another reasonable period of time determined by the NMED, from the date of installation. The results of any sampling, testing, or monitoring must be maintained for at least one year, or for any reasonable period of time determined by the NMED, except that the results of tank tightness testing conducted in accordance with 20.5.6.603.C NMAC, must be retained until the next test is conducted. Written documentation of all calibration, maintenance, and repair of release-detection equipment permanently located on-site must be maintained for at least one year after the servicing work has been completed or for any reasonable time period determined by the NMED. Any schedules of required calibration and maintenance provided by the release-detection equipment manufacturer must be retained for five years from the date of installation.

The MOC purchasing group maintains the manufacturer's equipment and performance claims records. The MOC records management program discusses the maintenance of records. The MOC purchasing group's Records Inventory and Disposition Schedule adequately addresses the record retention requirements of this section. According to the

manufacturer of the tanks, no calibration or maintenance is required for the current configuration. If modifications are made, these functions will need to be performed.

25.2.6.46 Reporting Suspected Releases, 20.5.7.701 NMAC (40 CFR §280.50)

> *Owners and operators of storage tank systems must report suspected releases to the NMED within 24 hours in accordance with 20.5.7.700 NMAC, and follow the procedures in 20.5.7.703 NMAC for any of the following conditions:*
>
> *A. Evidence of released regulated substances in the vicinity of the storage tank site, including but not limited to, the presence of non-aqueous phase liquid or vapors in soils, basements, sewer and utility lines, groundwater, drinking water or nearby surface water;*
>
> *B. Unusual operating conditions such as, but not limited to, the erratic function of product dispensing equipment, the sudden loss of regulated substance from the storage tank system, an unexplained presence of water in the tank, the presence of a regulated substance in the annular or interstitial space of double-walled tanks or piping, anything other than a "pass" result from any release detection method in 20.5.6 NMAC, unless system equipment is found to be defective but not leaking and is immediately repaired or replaced;*
>
> *C. Monitoring results from a release detection method described under 20.5.6.601, 602, 603 and 604 NMAC that indicate a release may have occurred.*

No releases or suspected releases occurred from the current UST system during this reporting period. The MOC fuel station operation procedure outlines the required steps should a suspected release occur.

25.2.6.47 Confirmed Releases, 20.5.7.702 NMAC (40 CFR §280.51)

> *When required by the NMED, owners and operators of storage tank systems must follow the procedures in 20.5.7.700 NMAC regarding any unexpected or confirmed release.*

The NMED has not requested off-site impact information and there has been no evidence of a release of regulated substances during this reporting period.

25.2.6.48 Investigation of Suspected Releases, 20.5.7.703 NMAC (40 CFR §280.52)

> *Owners and operators shall immediately investigate all suspected releases of regulated substances requiring reporting under 20.5.7.701 NMAC within 14 days. Owners and operators shall conduct a system test, monitoring result check, site check or another procedure approved by the Department.*

The MOC fuel station operation procedure indicates the appropriate testing, investigating, reporting, and corrective action to be taken if a release of regulated substances is suspected. There were no leaks in the WIPP USTs during this reporting period.

25.2.6.49 Reporting and Cleanup of Large Spills and Overfills, Subsection A of 20.5.7.704 NMAC (40 CFR §280.53[a])

> *Owners and operators of storage tank systems must contain and immediately clean up a spill or overfill and report it to the NMED within 24 hours in accordance with 20.5.7.700 NMAC. If a spill or overfill of a petroleum product results in a release to the environment that exceeds 25 gallons, or a hazardous substance spill results in a release to the environment that equals or exceeds its RQ under CERCLA (40 CFR Part 302), corrective action must be initiated in accordance with 20.5.12 NMAC and 20.5.13 NMAC.*

There were no spills or overfills exceeding 25 gallons from the WIPP USTs during this reporting period. WIPP has no USTs containing hazardous materials.

The MOC fuel station operation procedure addresses the requirements with respect to petroleum UST systems (i.e., as specified in 20.5.12 NMAC).

25.2.6.50 Reporting and Cleanup of Small Spills and Overfills, Subsection B of 20.5.7.704 NMAC (40 CFR §280.53[b])

> *Owners and operators of storage tank systems must contain and immediately clean up a spill or overfill of a petroleum product that is less than 25 gallons and a spill or overfill of a hazardous substance that is less than the RQ. If cleanup cannot be accomplished within 24 hours, owners and operators must immediately notify the implementing agency.*

Small spills and overfills have been properly contained and cleaned up. There were no significant spills or overfills from the WIPP USTs during this reporting period. MOC procedures address the requirement with respect to petroleum UST systems and releases that exceed a reportable quantity RQ under the CERCLA. No UST systems are used to contain hazardous substances at WIPP.

25.2.6.51 Temporary Closure, 20.5.8.800 NMAC (40 CFR §280.70)

When a storage tank system is temporarily closed, owners and operators must continue operation and maintenance of corrosion protection in accordance with 20.5.5.501 NMAC, and any release detection in accordance with 20.5.6 NMAC. Owners and operators shall also comply with 20.5.7 NMAC, 20.5.12 NMAC, and 20.5.13 NMAC. However, release detection is not required as long as the storage tank system is empty. When a storage tank system is temporarily closed for three months or more, the vent lines must be left open and functioning, and all other lines, pumps, manways, and ancillary equipment must be capped and secured.

No temporary closures have taken place during this reporting period.

25.2.6.52 Corrective Action, Subsection B of 20.5.8.802 NMAC (40 CFR §280.72[b])

If contaminated soils, contaminated groundwater, or free product as a liquid or vapor are discovered, owners and operators must begin corrective action in accordance with 20.5.12 NMAC or 20.5.13 NMAC.

The MOC has procedures in place which address the required actions to take if a release or suspected release is identified (see also Subsection 25.2.6.54). No releases or suspected releases occurred during this reporting period.

25.2.6.53 Applicability of Financial Responsibility, 20.5.9.900 NMAC (40 CFR §280.90)

State and federal government entities whose debts and liabilities are the debts and liabilities of a state or the United States are exempt from the requirements of 20.5.9 NMAC, "Financial Responsibility."

As the owner of WIPP, the DOE is exempt from the financial responsibility requirements of this part.

25.2.6.54 Cleanup Requirements for Releases from Storage Tank Systems, Subsection A of 20.5.12.1200 NMAC

All releases must be cleaned up through soil remediation, ground- and surface-water remediation, and any other appropriate procedures in a manner protective of health, public welfare, and the environment.

No releases occurred from the WIPP USTs during this reporting period.

26.0 NEW MEXICO SOLID WASTE ACT

26.1 Summary of the Law

With the enactment of the New Mexico Solid Waste Act (74-9-1 through 74-9-43 NMSA) in 1978, the New Mexico Legislature authorized and directed the establishment of a comprehensive and integrated solid waste management program at both the state and local levels. This legislation directs the planning and regulation of the reduction, storage, collection, transportation, and disposal of solid waste and authorizes the establishment of a system of permits for the construction, operation and, if applicable, closure and postclosure maintenance of solid waste facilities.

The Solid Waste Act is implemented by the New Mexico Solid Waste Management Regulations (SWMRs). The SWMRs are contained within 20.9 NMAC. These regulations are applicable to WIPP because infectious wastes are generated at the facility, because soil(s) may become contaminated from unintentional releases of petroleum products, and because WIPP is allowed to receive asbestos wastes for disposal. A construction debris landfill is operational at the site but is exempt under §108 of the SWMRs.

26.2 Status of Compliance With the Regulatory Requirements

The text summarizes the applicable requirements and their compliance status under the New Mexico Solid Waste Act.

26.2.1 General Requirements, 20.9.2.8 NMAC

> *Generators of solid waste must provide containers for the solid waste except for construction and demolition debris, yard refuse, and appliances.*

A construction debris landfill is operational at the WIPP site. The construction landfill is on property owned by the DOE and receives nonhazardous material generated on the property from construction activities. No hazardous wastes or materials are allowed in the landfill. The landfill is covered by the exemption found in §108 of the SWMRs and discussed in Subsection 26.2.3. The requirements and rules of operation for the landfill are described in a WIPP procedure. Use of this procedure ensures operation of the construction landfill in a manner that is protective of human health and the environment and in compliance with applicable local, state, and federal laws and regulations.

Infectious wastes are generated at the facility and are managed in accordance with the applicable requirements of §700F of the SWMRs. Infectious wastes generated at the site are shipped off-site for disposal. Petroleum-contaminated soils generated at the facility are managed in accordance with the applicable requirements of §700H of the SWMRs. Petroleum-contaminated soil is shipped off-site for disposal or remediation.

26.2.2 Prohibited Acts, 20.9.2.10 NMAC

Section 20.9.2.10 NMAC specifies prohibited acts including the following: disposal of solid waste in places other than a permitted solid waste facility; disposal of regulated waste such as special waste, hazardous waste, radioactive materials, and petroleum waste at a facility not permitted for that kind of waste disposal of bulk liquids; and disposal of any solid wastes that are known to be harmful to the environment or hazardous to public health or safety.

The following wastes are excluded from disposal in the WIPP landfill:

- Radioactive materials
- Hazardous or other regulated materials, including petroleum products
- Liquids, or containers that contain liquids
- Any recyclable materials as determined by the MOC
- Municipal Solid Waste

Construction debris that may be disposed of in the landfill is material generally considered to be non-water-soluble and nonhazardous in nature and includes timbers, pipes, excavation soil (if not contaminated with hazardous materials/wastes), concrete, packing materials, sheet metal, glass, and wood. Site-generated wastes subject to these prohibitions are sent to licensed, off-site facilities for disposal.

26.2.3 Exceptions 20.9.2.11C

This Part does not apply to disposal of construction and demolition debris or yard refuse by a person in possession of property if the material was generated on the property and if the disposal of the solid waste does not violate any provision of 20.9.2 - 20.9.10 NMAC.

WIPP's landfill falls within this exemption. The DOE is not required to obtain a landfill permit for construction debris generated and disposed of on the WIPP site.

26.2.4 Record Keeping and Annual Reports, 20.9.5.16 NMAC

Operators of solid waste facilities shall make and maintain records during the active life of the facility. Operators shall submit annual reports to the Secretary of the NMED within 45 days after each calendar year.

The construction landfill is covered by the exemption found in the SWMR, 20.9.2.11C NMAC. Although the WIPP construction landfill is exempt from record-keeping requirements, records for the landfill are maintained. The MOC construction debris disposal form is used to record the name, company, date, description and

estimated volume of debris, and signatures of the landfill user and of the landfill custodian. No permit is required; therefore, no annual report is necessary.

26.2.5 Facilities, Entry by Department, Availability of Records to Department and Others, 20.9.2.12 NMAC

The Secretary or any authorized representative, employee or agent of the Department may enter any solid waste facility at any reasonable times for the purpose of making an inspection.

The NMED will be provided access to the facility any time it wishes to conduct an inspection.

26.2.6 Solid Waste Facility Permits, 20.9.3.8 NMAC

Any person seeking a permit to construct, operate, or modify a solid waste facility must file an application.

Section 20.9.2.11 NMAC provides an exemption for the WIPP construction landfill. The regulations do not apply to disposal of construction and demolition debris if the material is generated on the property and the disposal of the solid waste does not violate any provision of the regulations. The WIPP construction landfill is exempted from permit application requirements because it receives construction debris only and because it is located at the same site where the construction debris is generated. No permit is required.

26.2.7 Registration of Commercial Haulers, 20.9.3.31 NMAC

Transporters of special waste shall register with the NMED, submit a description of the solid waste facilities used, submit a contingency plan to the Secretary, and carry a copy of the plan and appropriate cleanup kits in the vehicle.

Transportation of special waste generated at WIPP is accomplished by an off-site contractor that meets the requirements.

26.2.8 Solid Waste Facility Operation Requirements, 20.9.5.8 NMAC

A solid waste facility must be located and operated so that it does not cause a public nuisance or create a potential hazard to public health or welfare.

The WIPP construction landfill is covered by the 20.9.2.11C exemption contained in the SWMR. In order to ensure compliance with the SWMR, the WIPP construction landfill is operated according to MOC procedures that ensure protection of public health and welfare.

26.2.9 Closure and Postclosure Requirements, 20.9.6.8 NMAC

Section 20.9 NMAC specifies a number of solid waste facility closure and postclosure requirements including the installation of a final cover, preparing and implementing a land-use plan, a schedule for completing all closure work, an approved postclosure care and monitoring plan, and annual reports.

The WIPP construction landfill is exempted from these requirements because it receives construction debris only and because it is located at the same site where the construction debris is generated. Closure and postclosure requirements are not applicable.

26.2.10 Operator Certification, 20.9.7.8 NMAC

Section 20.9.7.8 NMAC provides requirements for operator certification. The amount and type of personnel training and experience are specified for landfills and for other types of facilities.

The WIPP construction landfill is exempted from these requirements because it receives construction debris only and because it is located at the same site where the construction debris is generated. Operator certification is not required.

26.2.11 Asbestos Waste, 20.9.8.12 NMAC

This section specifies a number of requirements for transportation and disposal of asbestos waste, including transporter and labeling requirements.

These requirements are adequately addressed in the WIPP HWFP. In a letter from NMED dated July 14, 2000 (NMED, 2000), the NMED stated that the standards for the management, storage, and disposal of waste in the WIPP HWFP exceed the standards specified for asbestos in 20.9.8.12 NMAC; therefore, no additional conditions are necessary for disposal of TRU waste containing asbestos at WIPP.

WIPP does not have any asbestos containing material on site and thus, there was no disposal of site generated material during the reporting period.

26.2.12 Storage and Containment of Infectious Waste, 20.9.8.13 NMAC

Section 20.9.8.13 NMAC specifies infectious waste storage and containment requirements, including waste segregation; specifications for container integrity; container labeling and marking; and storage and containment area access, integrity, and marking.

The following practices are ongoing at WIPP:

- Access to the infectious waste collection and storage area is limited to trained and inoculated medical and waste management personnel.
- Special containers are easily identifiable through the use of internal red biohazard bags and external biohazard labels.
- All sharps are sealed in containers that are leak-proof, puncture-proof, and tamper-proof. These containers are then placed in properly labeled, rigid, plastic containers.
- All containment bags are red to ensure that they are clearly identifiable as specified by 29 CFR §1910.145.
- No infectious waste containers are reused.
- Storage and containment areas are in an enclosed, clearly marked environment.
- No compaction or grinding devices are used to reduce the volume of infectious waste.

No inspections of the infectious waste storage area and the medical clinics at the WIPP site and the Skeen-Whitlock building were conducted by regulatory agencies during this reporting period.

26.2.13 Infectious Waste Treatment, Storage, and Disposal Facilities, 20.9.8.13E NMAC

This section specifies operational requirements for infectious waste treatment, storage, and disposal facilities. Included is a requirement for the preparation and maintenance of a management plan that identifies the type of waste generated or handled; the segregation, packaging, labeling, collection, storage, and transportation procedures to be implemented; the treatment or disposal methods to be used; the transporter and disposal facility to be used; and the person responsible for the management of the infectious waste.

The MOC transportation manual and the occupational health manual address the operational requirements for infectious waste as specified in this part.

26.2.14 Treatment and Disposal of Infectious Waste, 20.9.8.13F-G NMAC

Several methods are specified for the treatment and disposal of infectious waste. These methods include controlled incineration,

heat sterilization, discharge to a sewage treatment system, or other methods as approved by the NMED.

Infectious waste is sent to an off-site facility for incineration or autoclaving.

26.2.15 Petroleum Contaminated Soil, 20.9.8.15 NMAC

Section 20.9.8.15 NMAC specifies sampling requirements, disposal prohibitions, storage requirements, and remediation allowances for all petroleum contaminated soils.

Petroleum-contaminated soils at WIPP are sampled and analyzed for Total Petroleum Hydrocarbons and other constituents as deemed necessary by the NMED or the MOC. Petroleum-contaminated soils are sent to an off-site facility for disposal or remediation.

26.2.16 Manifest Requirements, 20.9.8.19 NMAC

A manifest must accompany each shipment of special waste. Each manifest must include information on the waste generator, transporter, waste treatment facility, the type of waste, and any special instructions.

Special waste shipments are accompanied by a shipment manifest that includes the required information.

27.0 NEW MEXICO GROUND WATER PROTECTION ACT

27.1 Summary of the Law

The New Mexico GWPA was enacted in 1990 in response to the threat facing public health and safety and the environment from pollution of groundwater resources from leaking USTs. The purpose of this act includes the provision of substantive direction that allows the state of New Mexico to take corrective action at sites contaminated by leakage from USTs.

The GWPA is implemented by the regulations of the NMED, 20.5 NMAC, Petroleum Storage Tanks, discussed in Section 25.0. These regulations provide guidelines for the payment or reimbursement of the costs of a minimum site assessment and corrective action and specify the requirements for owners or operators of leaking storage tank systems. The GWPA prohibits expenditures from the Corrective Action fund (20.5.17 NMAC) for federally owned and operated sites.

The DOE has installed two USTs at WIPP that meet the state's standards and requirements for USTs. Procedures are in place for routine operations regarding the tanks and for mitigating any spills or releases from the UST systems.

27.2 Status of Compliance With the Regulatory Requirements

> *The owners or operators of USTs that release a regulated substance must take appropriate corrective action. The NMED will reimburse certain costs associated with performing a minimum site assessment and other corrective actions taken for spills or releases from USTs.*

There were no releases from USTs during this reporting period.

28.0 NEW MEXICO AIR QUALITY CONTROL ACT

28.1 Summary of the Law

In 1978, the New Mexico Air Quality Control Act (74-2-1 through 74-2-17 NMSA 1978) was enacted. The NMED implements the Air Quality Control Act under 20.2 NMAC. The Air Quality Control Act and 20.2 NMAC are based primarily on the CAA (see Section 6.0), with the New Mexico act generally not being more stringent than the CAA.

Under 40 CFR Part 70, operating permits are required for both area and major sources. The NMED implements the federal requirements under 20.2.70 NMAC, which describes the operating permit program; and 20.2.71 NMAC, which describes the fee and structure for the operating permit program.

28.2 Status of Compliance With the Regulatory Requirements

This section summarizes WIPP's compliance with the applicable requirements of 20.2 NMAC. WIPP has no sources of air emissions that require a permit under 20.2.70 NMAC. However, it should be noted that although not required, WIPP obtained a permit (Permit No. 310-M-2) in December 1993 for two emergency backup diesel generators (NMED, 1993). In fact, 20.2.72.202 NMAC exempts standby generators from needing an air quality permit provided that they are (1) operated only during the unavoidable loss of power; (2) operated less than 500 hours per year; and (3) either are the only source of air emissions at the site or are accompanied by sufficient record keeping to verify that the standby generator is operated less than 500 hours per year.

28.2.1 Sampling Equipment, 20.2.1.113 NMAC

> *Sampling equipment on stacks or other openings through which emissions are released to the atmosphere will be used as required.*

The sampling equipment required for measuring emissions from the WIPP backup diesel generators was specified by the state in §3(b) of the permit. Sampling ports, safe sampling platforms, safe access to sampling platforms, and utilities for sampling and testing equipment have been provided. A 0.25-inch stainless steel sampling line adjacent to the sampling ports, which extends down to within 4 feet above ground level,

has been installed as required by the permit. This sampling line provides access for future audits by the NMED.

28.2.2 Excess Emissions During Malfunction, Start-Up, Shutdown, or Scheduled Maintenance, 20.2.7 NMAC

Excess emissions during malfunction, start-up, shutdown, or scheduled maintenance must be minimized.

Special attention is paid during start-up, shutdown, scheduled maintenance, and any malfunction of the generators to ensure that emissions are minimized. The release of excess emissions is unlikely. However, a redundant system is in place, and the second backup generator will be used, as appropriate, to reduce potential emissions. If excess emissions occur, reporting will be performed as required by 20.2.7 NMAC. No problems were detected during this reporting period.

28.2.3 Emissions Leaving New Mexico, 20.2.8 NMAC

Emissions leaving New Mexico must not exceed the standards and regulations of the receiving state.

Title 40 CFR Part 70 and 20.2.1.8 NMAC apply to major sources, HAPs, acid rain, and other sources designated by the Administrator. WIPP is not subject to these requirements based on the latest air emissions inventory.

28.2.4 Oil-Burning Equipment--Particulate Matter, 20.2.18 NMAC

Standards have been established for particulate-matter emissions from oil-burning equipment with a rated heat capacity exceeding 250 million British thermal units (BTUs) per hour.

No oil-burning equipment at WIPP exceeds this rated heat capacity. The rated heat capacity of each of the generators is 139.6 million BTUs per hour.

28.2.5 Oil-Burning Equipment--Nitrogen Dioxide, 20.2.34 NMAC

Standards have been established for nitrogen dioxide emissions from oil-burning equipment with a rated heat capacity of 1,000,000 million BTUs per hour.

No oil-burning equipment at WIPP exceeds this rated heat capacity.

28.2.6 Regulations to Control Open Burning, 20.2.60 NMAC

Open burning is allowed for the instruction and training of fire-fighting and rescue personnel when a permit is obtained from the NMED.

Firefighting training was not conducted at WIPP during this reporting period; therefore, no open-burning permit was required.

28.2.7 Regulations to Control Smoke and Visible Emissions, 20.2.61 NMAC

> *No person owning or operating stationary combustion equipment shall permit, cause, or allow visible emissions from stationary combustion equipment to equal or exceed an opacity of 20 percent. No emissions of smoke with an opacity greater than 30 percent shall be released into the open air for any period greater than 10 seconds from any diesel-powered vehicle operating below 8,000 feet mean sea level. Opacity emissions shall be determined using Method 9 described in Appendix A of 40 CFR Part 60 (minimum time period for taking opacity reading: 10 minutes).*

Opacity measurements are not required for the backup diesel generators because no opacity measurements are specifically required under the permit (see Subsection 28.3.1 below). However, opacity testing has been performed on the generators and was found to be less than the 20 percent opacity limit.

Other diesel equipment is present on-site that does not require a permit under 20.2.72 NMAC because this equipment represents such a small source of emissions. The inventory on the equipment was submitted to the NMED with the permit application for the backup generators. The emissions from the diesel equipment fall well below the permit thresholds.

28.2.8 Compliance Plan, 20.2.70.300 NMAC

> *Submittal of a compliance plan is required as part of the operating permit application for 40 CFR Part 70 sources.*

No operating permit is required for WIPP. WIPP does not have any processes that result in the emissions of HAPs to the atmosphere, other than those that are exempt from permitting and listed on the NMED's List of Trivial Activities. Examples include paint dispensed from aerosol cans of 16 ounces or less or routine calibration of laboratory equipment or other analytical instruments.

28.2.9 Semiannual Operating Permit Reports and Progress Reports on the Compliance Plan, 20.2.70.300 NMAC

> *Semiannual operating permit reports and progress reports on the compliance plan will be filed, if applicable.*

The only reporting requirement under the permit for the backup diesel generators is an annual air emissions inventory upon request by the NMED. The NMED last requested

WIPP to submit an air emissions inventory in 2003 (Washington Regulatory and Environmental Services [WRES] , 2003) for CY 2002.

28.2.10 Permits, 20.2.72 NMAC

A permit is required for facilities that emit criteria pollutants or toxic air pollutants at rates that meet or exceed the threshold levels specified in 20.2.72 NMAC.

WIPP has no sources of air emissions that require a permit under 20.2.70 NMAC. As mentioned earlier and, although not required, WIPP did obtain a permit (Permit No. 310-M-2) in December 1993 for two emergency backup diesel generators (NMED, 1993). The permit remains in effect and requires that the sum of the hours of operation for both engines shall not exceed 480 hours per year. See Subsection 28.3 for discussion of compliance with permit requirements.

In 2005, an inventory of fugitive dust emissions from salt mining and handling activities was conducted to evaluate increased emissions that would result from the construction of a new haul road to transport salt tailings and provide access to a new salt storage area. The Air Quality Bureau was contacted to determine if any permits would be necessary for fugitive emissions from WIPP material handling processes. On March 31, 2006, the Air Quality Bureau issued a determination that no permit is required.

28.2.11 Permit Fees, 20.2.75 NMAC

Permit fees must be paid with the submittal of a permit application.

The only permit required at WIPP under 20.2 NMAC is for the diesel generators (see also Subsection 28.3.1 below). The permit fee for the diesel generators ($10,100) was submitted with the permit application in July 1993.

28.2.12 Stack Height Requirements, 20.2.80 NMAC

Stack height requirements must be met.

WIPP meets the requirement for stack height. The state approved the MOC calculations and modeling with the issuance of Air Quality Permit No. 310-M-2 (NMED, 1993).

28.3 Status of Compliance With the Permit Conditions

The permit for the backup diesel generators, which was issued to WIPP on December 7, 1993, is the only permit issued under the authority of 20.2 NMAC. The permit conditions and the compliance status of each are provided in the text.

28.3.1 Permit for Backup Diesel Generators, Permit No. 310-M-2

The conditions specified by Air Quality Permit No. 310-M-2 for the backup diesel generators at WIPP are described in this section (NMED, 1993).

28.3.1.1 Construction and Operation, Condition 1

> *The plant (i.e., the diesel generators) shall be constructed and operated as described in the permit application dated June 18, 1993, and with the air quality monitoring information that was submitted on September 22, 1993, unless modified by the conditions of this permit. The facility consists of two Caterpillar diesel generators with a rated capacity of 1,500 horsepower. Only one Caterpillar diesel engine may operate at one time, and the sum of hours of operation for both engines shall not exceed 480 hours per year. Changes in plans, specification, and other representations provided in the application documents shall not be made if they change the method of emissions control or in the character of the emissions or if they would increase the discharge of emissions. Any such proposed change must be submitted as a proposal revision or modification of the permit in accordance with the condition described in Subsection 28.3.1.4 below.*

The equipment described in the permit is being operated in accordance with the terms and conditions of the permit.

28.3.1.2 Emission Rates, Condition 2

> *The NMED has specified maximal emission rates for nitrogen oxide, carbon monoxide, sulfur dioxide, and particulate matter. The rates specified are in terms of pounds per hour and tons per year from each engine and from the facility (i.e., both engines).*

The emissions were established during emissions testing in 1992. The equipment is operated and maintained in accordance with the manufacturer's specifications.

Currently, the only requirement the permit specifies with regard to emission rates is that the equipment be operated less than 480 hours per year. The limit on operating hours for the diesel generators is a control to limit the emissions to the emission rates specified in the permit. Each generator operated less than 20 hours per year during this reporting period.

28.3.1.3 Compliance Test Methods, Conditions 3-4

> *Initial compliance tests for all four pollutants described for Condition 2* [Subsection 28.3.1.2 above] *are required for one of the diesel generators. Compliance tests may be reimposed if*

noncompliance is indicated or if the tests were technically unsatisfactory. The tests shall be conducted within 60 days after achieving the maximal production rate at which the generator will normally be operated. If the maximal production rate does not occur within 120 days of source start-up, the tests must be conducted no later than 180 days after the initial start-up of the source.

The tests shall be conducted in accordance with EPA Reference Methods 1-4, Method 5 (particulate matter), Method 6 (sulfur dioxide), Method 8 (A-E) (nitrogen dioxide), and Method 10 (carbon monoxide) contained in 40 CFR Part 60, Appendix A, and with the requirements of 40 CFR §60.8(f). The oxygen in the stack gas shall be determined by using EPA Method 3.

The NMED shall be notified of the date and time of compliance testing at least 30 days before the planned test date so that the NMED may have an observer present during testing. The permittee will arrange a pretest meeting with the NMED at least 30 days prior to the anticipated test date and shall observe the pretesting and testing procedures described in detail under this condition. These requirements include submitting a written test protocol to the NMED at least one week prior to the testing date for approval and providing appropriate equipment and access to the NMED observer for sampling. Several parameters (i.e., engine revolutions per minute, exhaust static pressure, exhaust manifold temperature, fuel consumption, and horsepower as indicated by kilowatt output) shall be monitored and recorded during the test and the results included with the test report. Flow straighteners shall be installed where necessary to prevent cyclonic flow in the stack. The tests shall be conducted at 90 percent of full load or greater and at additional loads as specified by NMED personnel at the test or pretest meeting.

Two copies of the compliance test report must be submitted to the NMED within 30 days after completion of testing.

Compliance with these conditions was achieved and reported in the compliance test report, Emission Sampling Report, Backup Diesel Generator (IT Corporation, 1994), which was submitted to the NMED Air Quality Bureau on March 6, 1994, and approved on May 12, 1994.

28.3.1.4 Revisions and Modifications, Condition 5

Any future changes shall be preceded by the submittal of a permit application to the NMED in accordance with 20.2.72 NMAC. No

modifications shall be made prior to the issuance of the revised permit.

There have been no revisions or modifications to the equipment or its operation during this reporting period.

28.3.1.5 Notification to Subsequent Owners, Condition 6

If there is any change in control or ownership of the diesel generators, the permittee shall notify the succeeding owner of the permit and its conditions and shall notify the NMED of the change in ownership within 15 days of the change.

There has been no change in ownership or control of the permitted equipment during this reporting period.

28.3.1.6 Right to Access Property and Review Records, Condition 7

The NMED will be given the right to enter the facility at all reasonable times to verify the terms and conditions of the permit. Upon receipt of a verbal or written request from any authorized representative of the NMED, the company will produce any records or information necessary to demonstrate that the terms and conditions of the permit are being met.

Upon request, NMED representatives will be allowed entry to the site and will be provided with appropriate records and information. No NMED personnel requested entry to the site to verify the terms and conditions of the permit for the diesel generators within this reporting period.

28.3.1.7 Posting of the Permit, Condition 8

A copy of the permit will be posted and in view of the plant site at all times. It will be made available to NMED personnel for inspection upon request.

A copy of the permit is posted at the WIPP facility.

28.3.1.8 Record Keeping, Condition 9

The DOE will maintain an operational log in which the date, time, and hours of operation will be recorded for each engine. The records will be maintained on-site for at least two years from the time of recording and will be made available to NMED personnel upon request.

Completion and maintenance of operational logs are carried out as prescribed by MOC procedures. CMR logs contain information about the diesel generators. The run times for the generators are recorded automatically by the Central Monitoring System. The records are maintained on-site for at least two years.

28.3.1.9 Reporting, Condition 10

The permittee will notify the NMED in writing or provide the NMED with the following information:

- *The anticipated date of the initial start-up of each new or modified emission source at least 30 days prior to that date*
- *The actual date of the initial start-up of each new or modified source within 15 days after the start-up date*
- *The date when each new or modified source reaches the maximal production rate at which it will operate within 15 days after that date*
- *Any change of operators within 15 days after the change*
- *Any necessary update or correction no more than 60 days after the operator knows or should have known of the condition necessitating the update or correction of the permit.*

Notice of the initial start-up of each source was submitted to the Air Quality Bureau in December 1993. No modifications necessitating reporting to the state were made during this reporting period.

28.3.1.10 Permit Cancellations (Permit, p.8)

The NMED will cancel the permit automatically if any source ceases operation for at least five years or if the construction or modification of a source is not initiated within two years from the date of issuance if work on construction or modification is suspended for a total of one year.

The state did not cancel the permit.

28.3.1.11 Notice of Intent and Emission Inventory (Permit, Page 8)

Requirements related to Notice of Intent (NOI) and emission inventory are contained in 20.2.73 NMAC which states, an annual emission inventory is required annually for any stationary source permitted under 20.2.72 NMAC (except for those sources that are permitted only for toxic air pollutant emissions). Other sources

> *that are required to file an annual emission inventory are those that must file a NOI under 20.2.73 NMAC or that emit in excess of one ton of lead or ten tons of total suspended particulates, particulate matter with an aerodynamic diameter of 10 µ or less (i.e., PM_{10}), sulfur dioxide, nitrogen dioxide, carbon monoxide, or Volatile Organic Compounds in any calendar year including and subsequent to 1990.*

Given Air Quality Permit Number 310-M-2 applies to the operation of two standby diesel generators which are not required to have a permit, annual inventories are not required. However, the NMED has the authority to request an annual inventory from facilities pursuant to 20.2.73.300 NMAC. The last NMED request for an annual inventory was for CY 2002 (WRES, 2003).

29.0 NEW MEXICO WATER QUALITY ACT

29.1 Summary of the Law

With the enactment of the New Mexico Water Quality Act (74-6-1 through 74-6-17 NMSA 1978), a mechanism was provided at the state level to establish water quality standards that are consistent with the federal CWA. The state act created the Water Quality Control Commission and directed the commission, as the state's water pollution control agency for all purposes of the CWA, to adopt a comprehensive water quality management program and water quality standards. The Ground and Surface Water Protection Regulations, 20.6.2 NMAC, include water quality standards for groundwater and surface water and regulations regarding discharges to surface water or which may impact groundwater.

On January 16, 1992, the NMED issued the original discharge permit (DP-831) for the WIPP sewage facility (NMED, 1992a). The discharge permit is renewed every five years and several discharge permit modifications have been submitted. A DP renewal was approved on April 29, 2003, which included the disposal of 23,000 gallons per day (gpd) of sewage effluent; 2,000 gpd of nonhazardous water to Evaporation Pond B; 8,000 gpd of nonhazardous brine water to the H-19 Evaporation Pond; and 100 gallons per year of neutralized acid to the domestic wastewater lagoons (NMED, 2003a) The discharge permit was next modified in December 2003 (NMED, 2003b) to incorporate controls to minimize infiltration to the subsurface of stormwater runoff from the storage of salt at WIPP. The infiltration controls included the construction of a new salt storage area lined with a high density polyethylene liner and a new evaporation pond to receive runoff from the new salt pile. The existing salt pile was capped with a high-density polyethylene (HDPE) liner and two feet of soil. The stormwater evaporation pond associated with the existing salt pile was also lined with an HDPE liner. Two stormwater retention ponds on the south side and one on the west side of the WIPP Property Protection Area have also been lined with HDPE liners to collect stormwater runoff and minimize recharge to the subsurface. The permit was modified on December 29, 2006, to incorporate the site and preliminary design validation material pile more comprehensive closure plan in the permit (NMED, 2006b).

The current discharge permit authorizing the activities above expires on April 29, 2008. The DP renewal application was submitted to the NMED on December 20, 2007 (DOE, 2007l).

29.2 Status of Compliance With the Regulatory Requirements

The following text provides the regulatory requirements and their compliance status under the New Mexico Water Quality Act.

29.2.1 Notice of Intent to Discharge, 20.6.2.1201 NMAC

> *Any party intending to make a new water contaminant discharge or to alter the character or location of an existing water contaminant discharge, unless the discharge is being made or will be made into a community sewer system or subject to the Liquid Waste Disposal Regulations adopted by the New Mexico Environmental Improvement Board, shall file a notice with the Ground Water Quality Bureau of the NMED for discharges that may affect groundwater, and/or the Surface Water Quality Bureau of the department for discharges that may affect surface water.*

An NOI is submitted to the NMED Water Quality Bureau whenever new water contaminant discharges are planned or the character or location of an existing water contaminant discharge is altered. No NOIs were submitted to the Ground Water Quality Bureau during this reporting period.

29.2.2 Filing of Plans and Specifications - Sewerage Systems, 20.6.2.1202 NMAC

> *Any party proposing to construct a sewerage system or proposing to modify any sewerage system in a manner that will change the quantity or quality of the discharge from the system substantially must file plans and specifications for the construction or modification with the Ground Water Quality Bureau of the NMED for discharges that may affect groundwater, and/or the Surface Water Quality Bureau of the department for discharges that may affect surface water.*

Sewage system plans and specifications were included in the DP application approved on January 16, 1992 (NMED, 1992a). Specifications and plans for the H-19 Evaporation Pond were submitted to the NMED with the DP renewal approved on July 3, 1997 (NMED, 1997). Conceptual plans for the new salt pile evaporation pond, new salt pile, lining of the existing salt pile evaporation pond, covering of the existing salt pile and the lining of three stormwater evaporation ponds were submitted to the NMED in the April 25, 2003, DP-831 Modification Application transmittal letter (DOE, 2003b). As-built drawings of the stormwater infiltration controls constructed pursuant to the December 22,

2003, DP modification were submitted to the NMED on January 10, 2006, and in the December 2007 Discharge Permit Renewal Application and Modification.

29.2.3 Notification of Discharge - Removal, 20.6.2.1203 NMAC

> *Requirements for reporting, notifications, and corrective action with respect to any discharge from any facility of oil or other water contaminant, in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property are specified.*

In the event of an unauthorized discharge of oil or other potentially harmful water contaminants, notification, reporting, and corrective action will be performed in accordance with the WIPP environmental incident reporting procedure.

The NMED was notified of an event where an employee inadvertently disposed of approximately 150 gallons of water containing lead in excess of the 5.0 mg/l toxicity characteristic regulatory threshold of 40 CFR §261.24 in November 2007 (DOE, 2007b). Sediment and water samples were collected from the pond and demonstrated that no threat to human health or the environment had resulted from the incident. No other reports of discharges were made to the NMED under this provision.

29.2.4 General Requirements, 20.6.2.2101 NMAC

> *General discharge limitations and sampling/analytical requirements for the discharge of effluents to a watercourse must be met.*

WIPP wastewater and stormwater management facilities do not discharge to a watercourse and this regulation is not applicable to WIPP.

29.2.5 Discharge Permit Required, 20.6.2.3104 NMAC

> *No person shall cause or allow effluent or leachate to discharge so that it may move directly or indirectly into groundwater unless he is discharging pursuant to a discharge permit issued by the Secretary. When a permit has been issued, discharges must be consistent with the terms and conditions of the permit.*

The December 2003 modification to DP-831 was submitted to meet this requirement when the DOE and the MOC became aware that the most likely source of subsurface shallow groundwater containing elevated total dissolved solids was the salt stockpile and infiltration from other storm water discharges.

29.2.6 Application for Discharge Permits and Renewals, 20.6.2.3106 NMAC

> *Any person who intends to begin discharging any listed water contaminants or any toxic pollutant so that they may move directly or indirectly into groundwater must submit a DP as required.*

All discharges at the WIPP facility are consistent with the terms and conditions of the discharge permit.

29.2.7 Monitoring, Reporting, and Other Requirements, 20.6.2.3107 NMAC

> *Requirements include periodic reporting to the Secretary of any information that may be required as set forth in the discharge permit, and notifying the NMED of any facility expansion, production increase, or process modifications that would result in the discharge of water contaminants.*

The DOE submitted semiannual discharge monitoring reports to the NMED to demonstrate compliance with the inspection, monitoring, and reporting requirements identified in the plan by July 31 and January 31 of each year. The discharge permit requires semiannual sampling and analysis of the sewage system influent for nitrate, total Kjeldahl nitrogen (TKN), total dissolved solids (TDS), ^{238}Pu, $^{239+240}$Pu, ^{241}Am, ^{234}U, ^{235}U, ^{238}U, and ^{90}Sr. The sewage lagoons north evaporation pond, south evaporation pond, and the H-19 Evaporation Pond are sampled semiannually for TDS, ^{238}Pu, $^{239+240}$Pu, ^{241}Am, ^{234}U, ^{235}U, ^{238}U, and ^{90}Sr. The volumes of waters discharged to the sewage lagoons and evaporation ponds are also monitored and reported as required by the discharge permit. The stormwater evaporation Ponds 1 and 2, Pond A, the salt pile evaporation pond, and the Salt Storage Extension (SSE) Evaporation Basin are sampled annually for TDS, nitrate, sulfate chlorides, selenium and chromium and the results are reported in the semiannual discharge monitoring report for the period within which samples are collected.

29.2.8 Public Notice and Participation, 20.6.2.3108 NMAC

> *Within 15 days of receipt of an application for a discharge permit, modification or renewal, the department shall review the application for administrative completeness. When the application is deemed administratively complete the department shall notify the applicant in writing. Within 30 days of notification of a proposed DP, or modification or renewal of an approved DP, the applicant must ensure that the public and affected governmental agencies are notified.*

Public notices have been provided in accordance with NMED protocols for all DP applications, modifications, and renewals. The DP renewal application submitted in December 2007 was determined by the NMED to be administratively complete on January 28, 2008. Proof of the completion of the public notice requirements was

provided to NMED in letter dated March 6, 2008 (DOE, 2008i). This included an affidavit that signs were posted near the discharge site and a notice was advertised in the newspaper and mailed to adjacent property owners.

29.2.9 Secretary Approval, Disapproval, Modification, or Termination of Proposed Discharge Plans, 20.6.2.3109 NMAC

If the monitoring data submitted indicate that these regulations are being or may be violated or that the standards in 20.6.2.3103 NMAC, "Standards for Ground Water of 10,000 mg/l [milligrams/liter] *TDS [total dissolved solids] Concentration or Less," are being or will be exceeded in groundwater at any place of withdrawal for the present or reasonably foreseeable future due to the discharge, it may be necessary to modify the DP.*

Monitoring data during this reporting period did not reveal any information indicating that groundwater is being impacted by WIPP discharges. The infiltration controls proposed in the October 30, 2002, NOI (DOE, 2002c) and approved in the DP-831 Permit Modification approved on December 22, 2003 (NMED, 2003b), have been implemented to minimize the potential for groundwater to be impacted from WIPP operations. Historical ground water concentrations of TDS, chloride and sulfate varies considerably over time in several wells and several wells show increasing trends; however, the infiltration controls are anticipated to reduce concentrations.

29.2.10 Water Quality Standards for Interstate and Intrastate Surface Waters in New Mexico, 20.6.4 NMAC

The state has set a number of water quality standards for interstate and intrastate surface waters in New Mexico.

The water quality standards for interstate and intrastate surface waters in New Mexico do not apply to WIPP because there are no surface waters, either intermittent or permanent, that will be affected by WIPP.

29.2.11 Utility Operator Certification, 20.7.4 NMAC

The state requires that operators of public water supply systems and public wastewater facilities be certified to the educational and experience requirements of 20.7.4 NMAC.

Under these regulations, WIPP is considered a public water supply system. WIPP is classified as a Class 2 public water supply system because of the population served, 501 to 5,000. See Section 30.0 for more information.

WIPP is also considered a Class 1 public wastewater facility because of the population served and the treatment process being facultative wastewater treatment lagoons and evaporation ponds.

Since these systems at WIPP require certified operators, the MOC employs operators and supervisors certified to the applicable requirements. All operators undergo recertification and training every three years; training and certification records are maintained by the MOC at the WIPP facility.

29.3 Status of Compliance With the Permit Requirements

The following text summarizes the specific and general requirements from the DP for WIPP and their compliance status.

29.3.1 Operations Condition 1 (April 29, 2003, Renewal)

> *The permittee is authorized to discharge up to 23,000 gpd of sewage effluent to a series of seven synthetically lined lagoons for treatment and evaporation.*

The average flow to the sewage lagoons is estimated at 3,500 gpd. The design capacity of 23,000 gpd, authorized in the discharge permit, has not been exceeded.

29.3.2 Operations General Condition 2 (April 29, 2003, Renewal)

> *The permittee is authorized to discharge up to 2,000 gpd of nonhazardous brine water to the synthetically lined north evaporation cell.*

No brine water has been discharged to the north evaporation cell during this reporting period. Zero discharges to the north evaporation cell have been reported in the quarterly and semiannual discharge monitoring reports.

29.3.3 Operations General Condition 3 (April 29, 2003, Renewal)

> *The permittee is authorized to discharge up to 8,000 gpd of nonhazardous brine water generated from mine dewatering activities, pumping of groundwater wells, and from other nonhazardous sources to the synthetically lined H-19 Evaporation Pond.*

The MOC's operating procedures require that an Authorization to Discharge Form be filled out and approved before discharging water into the H-19 Evaporation Pond. No exceedances of the permitted 8,000 gpd have occurred. However, in November 2007, the Permittees notified NMED of an event where approximately 150 gallons of water containing lead in excess of 5.0 mg/l was inadvertently disposed of in the H-19 Evaporation Pond prior to completion of procedural documentation (DOE, 2007b).

29.3.4 Operations General Condition 4 (April 29, 2003, Renewal)

The permittee is authorized to discharge up to 100 gallons per year of neutralized acid waste to the synthetically lined facultative lagoon system.

Neutralized acid waste is no longer a routinely generated waste stream at WIPP.

29.3.5 Operations Condition 5 Lagoon Operation and Maintenance (April 29, 2003, Renewal)

The permittee shall operate and maintain all lagoons covered by this permit. The permittee shall maintain the capacity of the lagoons to store and evaporate the maximum daily discharge volume allowed by this discharge permit while maintaining two feet of freeboard at all times. In the event that a minimum of two feet of freeboard cannot be maintained at all times, the permittee shall submit a corrective action plan to manage discharge volumes to the NMED for approval.

The MOC's operating procedures require that an Authorization to Discharge Form be filled out and approved before discharging water into the H-19 Evaporation Pond. No exceedences of the permitted 8,000 gpd have occurred, and two feet of freeboard are maintained in accordance with permit conditions.

29.3.6 Operations Condition 6 Lagoon Operation and Maintenance (April 29, 2003, Renewal)

The permittee shall measure the thickness of the sludge blanket in each lagoon every five years. When sludge accumulation exceeds 1/3 of the total depth of any lagoon, the permittee shall remove the sludge in a manner, which is protective of the lagoon liner. Removed sludge shall be contained, transported and disposed in accordance with all local, state, and federal (e.g., 40 CFR Part 503) regulations.

This requirement was included when the DP-831 permit was renewed in April 2003 (NMED, 2003a). A survey of H-19 was conducted in January 2004 to measure the depth of the sludge. The sludge did not need to be removed. The sludge in the H-19 Evaporation Pond will be measured again by January 2009. The WIPP facultative sewage treatment system is very effective and attempts to sample any sludge have been unsuccessful due to the minimal amount of sludge that accumulates in the ponds. The sewage lagoon liners are being replaced and the depth of any sludge need not be measured for five years from the date of replacement. The liner in two ponds were replaced in 2006 and for two other ponds in 2007.

29.3.7 Operations Condition 7 Lagoon Operation and Maintenance (April 29, 2003, Renewal)

The permittee shall perform visual inspection of the lagoons and surrounding berms on a monthly basis. The water surface of the lagoons shall be kept free of all "floating" plants. Berms surrounding the lagoons shall be kept free of all "deep-rooted plants." Berms shall be inspected for signs of wind or water erosion. In the event berms show signs of erosion, the permittee shall submit to the NMED for approval a plan for protection of the berms from erosion which may include the emplacement of rip rap or other methods for armoring the berms.

The berms are inspected weekly and after severe rain storms to protect against storm water run-on and runoff and to ensure that the berms are free of all deep rooted vegetation and the water surface is free of all floating plants. All berms are in good condition and there have no been signs of erosion that required the submittal of a corrective action plan.

29.3.8 Monitoring and Reporting Condition 1 (April 29, 2003, Renewal)

The permittee shall measure the volume of effluent discharged to the facultative lagoon system using a totalizing flow meter or assume the discharge is equal to the total domestic water usage. Volumes of other permit-authorized discharges to the facultative lagoon system shall be calculated by a time/volume method or volumetric measurement of the transport container. Monthly meter reading, the units of measurement, monthly discharge volumes and other volumetric calculations for the previous 6-month period shall be submitted to the NMED semiannually in the monitoring reports due by January 31 and July 31 of each year.

The reporting of discharge volumes and water sources required by the DP was conducted as required. The results were submitted in the semiannual discharge monitoring reports described in Subsection 29.2.7.

29.3.9 Monitoring and Reporting Condition 2 (April 29, 2003, Renewal)

The permittee shall sample and analyze semiannually the influent to the lagoon system for nitrate-nitrogen (NO_3-N), TKN, TDS, ^{238}Pu, $^{239+240}Pu$, ^{241}Am, ^{234}U, ^{235}U, ^{238}U, and ^{90}Sr. The sewage lagoons north evaporation pond, south evaporation pond, and the H-19 Evaporation Pond are sampled semiannually for TDS, ^{238}Pu, $^{239+240}Pu$, ^{241}Am, ^{234}U, ^{235}U, ^{238}U, and ^{90}Sr.

Water quality analyses for these analytes were submitted as described in Subsection 29.2.7.

29.3.10 Monitoring and Reporting Condition 3 (April 29, 2003, Renewal)

The permittee shall notify the NMED of the volume and origin of all wastewater to be discharged that is derived from miscellaneous nonhazardous sources. The NMED may require more comprehensive laboratory analyses of such wastewater prior to discharge when the NMED determines that additional information is needed.

The volume and origin of wastewater discharged that was derived from miscellaneous nonhazardous sources were submitted with the semiannual reports detailed in Subsection 29.2.7.

29.3.11 Contingency Condition 1 (April 29, 2003, Renewal)

The permittee shall implement the Contingency Plan, dated December 16, 1996, in the event of a failure of the wastewater treatment and disposal system. The plan includes daily inspection and repair of pond liners as necessary, containment and investigation of all spills and releases, and submittal of a remediation plan to address contamination.

In the event of a failure, the Contingency Plan requirements of the discharge permit will be implemented. The Contingency Plan has not been implemented during this reporting period.

29.3.12 Closure Condition 1 (April 29, 2003, Renewal)

The permittee shall implement the closure plan, dated December 16, 1996, when the facility is decommissioned. The plan includes the pumping or evaporation of all wastewater ponds, removal of all solids, and recontouring and revegetation of the site.

The closure plan will be implemented as described in the discharge permit when any of the sewage lagoons or evaporation ponds are removed from service.

29.3.13 Operations Condition 1 Stormwater Controls (December 22, 2003, Modification)

The permittee is authorized to discharge up to 3,231,260 gpd of storm water runoff from the WIPP site to five synthetically lined retention basins for evaporation.

No unauthorized discharges have occurred to any of the five retention basins.

29.3.14 Operations Condition 9 Stormwater Controls (December 22, 2003, Modification)

The permittee shall install infiltration control measures, including synthetically lined impoundments, to minimize infiltration of storm water runoff into the subsurface at the WIPP facility. The primary control structures include Evaporation Basin A, Pond 1, Pond 2, the SSE (Cells A and B), the SSE Evaporation Basin, the salt pile evaporation pond, and berms and ditches associated with these structures. The installation of the storm water control structures shall be in accordance with the application for discharge permit modification dated April 24, 2003, or in accordance with subsequent design and specification amendments subject to approval by NMED. The structures shall be completed according to the schedule dated July 24, 2003. Extensions may be granted per written request for good cause shown.

The required controls were constructed in accordance with this schedule, with the exception of Evaporation Basin A. Several extensions were granted by the NMED for the construction of Evaporation Basin A, which was completed in the first week of August 2005. The extensions were necessary due to delays caused by weather during the time of construction.

29.3.15 Monitoring and Reporting Conditions 1 and 2 Stormwater Controls and Sampling and Field Measurements - Stormwater Collection Ponds (December 22, 2003, Modification)

The permittee shall sample the salt pile evaporation pond, the SSE Evaporation Basin, Evaporation Basin A, Pond 1, and Pond 2 as follows:

A. The permittee shall record the water depth to the nearest hundredth of a foot (0.01 ft), and the approximate volume of stormwater in each of the four storm water collection ponds once per year after a storm event where sufficient quantity of water has collected in the respective basins, during the same storm event in which water quality sampling is conducted.

B. The permittee shall collect samples from each of the four storm water collection ponds once per year following a single storm event where water quantity has been measured, and analyze for the water parameters listed in Conditions 7B and 7C below.

Procedures are in place, and the required monitoring data are collected and the results reported in the semiannual discharge monitoring reports.

29.3.16 Monitoring and Reporting Condition 3 Sampling and Field Measurements - Groundwater Monitoring Wells Stormwater Controls (December 22, 2003, Modification)

The permittee shall sample the following monitoring wells and piezometers:

A. Monitoring Wells/Piezometers PZ-1, PZ-2, PZ-3, PZ-4, PZ-5, PZ-6, PZ-7, PZ-8, PZ-9, PZ-10, PZ-11, PZ-12, C-2505, C-2506, C-2507, C-2811 and WQSP-6A shall be sampled as follows:

1) The permittee shall record the depth to the water table to the nearest hundredth of a foot (0.01 ft) above mean sea level, quarterly.

B. Monitoring Wells/Piezometers PZ-1, PZ-5, PZ-6, PZ-7, PZ-9, PZ-10, PZ-11, PZ-12, C-2507, C-2811 and WQSP-6A shall be sampled as follows:

1) The permittee shall collect samples from each well semiannually and analyze the samples for the water parameters listed in Conditions 7A, 7B, and 7C below.

The required monitoring wells and piezometers were sampled and the results were reported to the NMED in the semiannual discharge monitoring reports as required.

29.3.17 Monitoring and Reporting Condition 4, Analysis (Stormwater Controls, December 22, 2003, Modification)

The permittee shall analyze samples of groundwater and stormwater for:

A. Field parameters: pH, temperature and specific conductance.

B. General chemistry: nitrate, sulfate, chloride, and total dissolved solids.

C. Trace metals: selenium, chromium

The required monitoring wells and piezometers were sampled and the results were reported to the NMED in the semiannual discharge monitoring reports as required.

29.3.18 Monitoring and Reporting Condition 5, Analysis (Stormwater Controls, December 22, 2003, Modification)

Unless otherwise approved in writing by the NMED, the permittee shall conduct sampling and analysis in accordance with approved methods outlined in 20.6.2.3.3107 NMAC or NMED Guidance, Use of Low-Flow and Other Non-Traditional Sampling Techniques for RCRA Compliant Groundwater Monitoring.

The MOC's sampling and analysis procedures incorporate the approved sampling methods outlined in 20.6.2.3107 NMAC. Analytical laboratories used by the MOC use approved procedures to analyze samples.

29.3.19 Monitoring and Reporting Condition 6 (Stormwater Controls, December 22, 2003, Modification)

The permittee shall submit to the NMED a semiannual report by the last day of January and July of each year summarizing all activities related to the discharge during the preceding six-month period, water level measurements and water quality data and copies of the signed laboratory analyses sheet semiannually, and a potentiometric map annually.

The semiannual monitoring reports for this reporting period were submitted to the NMED by the last day of January and July for each year.

30.0 NEW MEXICO DRINKING WATER REGULATIONS

30.1 Summary of the Regulations

NMAC 20.7.10 contains the regulations for protecting public water-supply systems within the state. This section identifies the various categories of water-supply systems and establishes operating requirements for each system. It also establishes the maximum contaminant levels for water-supply systems and monitoring and analytical requirements for each system. The regulations adopt, by reference, 40 CFR Part 141, "National Primary Drinking Water Regulations," and 40 CFR Part 143, "National Secondary Drinking Water Regulations." The remaining NMAC language applicable to WIPP and not referenced in the federal CFR language addresses the prevention of contamination and the authority to require additional sampling.

30.2 Status of Compliance With the Regulatory Requirements

The NMED notified WIPP on September 9, 1992 (NMED, 1992b), that the WIPP water supply system is considered a public water supply and classified the system as a nontransient, noncommunity water supply for reporting and testing under the requirements of the New Mexico safe drinking water regulations. The DOE subsequently corresponded with the NMED to obtain a determination of the specific water sampling

requirements for the WIPP water supply system. This direction was requested because WIPP obtains water from the Double Eagle Water Line, which is owned and operated by the city of Carlsbad.

On March 11, 1994, the NMED Carlsbad Field Office provided specific direction on the type of source sampling required for the WIPP water supply system (NMED, 1994). The NMED determined that "since the Carlsbad Municipal Public Water Supply (WSS206-08) provides WIPP with its water and since Carlsbad already tests the various constituents at each Double Eagle well field source, WIPP is exempted from taking these samples." In addition, the NMED determined that WIPP is required to obtain point-of-use system samples, including lead, copper, and total coliform bacteria. The NMED requirements were updated in a letter to WIPP dated March 4, 2004 (NMED, 2004), specifying requirements for trihalomethanes sampling, chlorine residual monitoring, and frequency of coliform bacteria sampling.

The specific requirements under 20.7.10 NMAC that are applicable to WIPP and the compliance status of each are provided in the next section. Federal regulatory references will be listed first along with the title of the requirements as 20.7.10.100 NMAC adopts federal regulations by reference and would not be descriptive of the specific applicable requirements.

30.2.1 Coliform Sampling, 20.7.10.100 NMAC (40 CFR §141.21)

Title 40 CFR §141.21(a)(2) requires collection of a minimum of one total coliform sample per month, or quarterly for certain systems with written approval from the State.

The NMED, in an attachment to a letter dated March 4, 2004 (NMED, 2004), provided written authorization to sample coliform quarterly. Based on this March 2004 authorization, the MOC began to sample for coliform as required.

Through March 2008, coliform samples have been collected quarterly and analyzed by a state of New Mexico certified laboratory. In January 2007, WIPP received an administrative NOV for failing to take samples in December 2006 (NMED, 2007a). WIPP immediately met public notification posting requirements. Daily logs indicated that proper levels of water system chlorination were achieved at all times. There were no requirements for further action received.

30.2.2 Inorganic Chemical Sampling and Analytical Requirements, 40 CFR §141.23; Organic Chemicals, Sampling and Analytical Requirements, 40 CFR §141.24; Monitoring Frequency and Compliance Requirements for Radionuclides in Community Water Systems, 40 CFR §141.26 (20.7.10.100 NMAC)

Title 40 CFR §141.23 addresses the monitoring requirements for inorganic chemicals to determine compliance with the maximum contaminant levels. Title 40 CFR §141.24 addresses the analyses

> *for the organic chemical contaminants. Title 40 CFR §141.26 addresses monitoring and compliance requirements for gross alpha particle activity, radium-226, radium-228, and uranium. However, 40 CFR §141.29," Monitoring of Consecutive Public Water Systems," allows the NMED to modify sampling requirements of interconnected public water systems as justified.*

Based on 40 CFR §141.29, the NMED does not require WIPP to sample under 40 CFR §§141.23,141.24, and 141.26, because the source of WIPP's water is a well field owned and operated by the city of Carlsbad.

30.2.3 Total Trihalomethanes Sampling, Analytical and Other Requirements 40 CFR §141.132 (20.7.10.100 NMAC)

> *Systems must take all samples during normal operating conditions. Systems may consider multiple wells drawing water from a single aquifer as one treatment plant for determining the minimum number of trihalomethanes and haloacetic acid (HAA5) samples required, with State approval in accordance with criteria developed under CFR §142.16(h)(5) of this section.*

The NMED, in an attachment to a letter dated March 4, 2004 (NMED, 2004), provided written authorization for its personnel to sample total trihalomethanes and radionuclides. Personnel from the NMED Drinking Water Bureau collect the samples.

30.2.4 Monitoring Requirements for Lead and Copper in Tap Water, 40 CFR §141.86 (20.7.10.100 NMAC)

> *Title 40 CFR §141.86 requires periodic sampling for lead and copper at representative taps. The frequency of sampling is based on concentrations of lead and copper found.*

WIPP qualifies for a reduced monitoring schedule under 40 CFR §141.86(d)(4), and is required to sample for lead and copper every three years. The most recent sampling was conducted in August 2005 with results being below action levels. The next triennial compliance sampling will be conducted in August 2008.

30.2.5 General Operating Requirements, 20.7.10.400 NMAC

General performance requirements that are applicable to WIPP include:

- Prevention of contamination of water in the system while undergoing routine maintenance or replacement of electrical or mechanical equipment.
- Prevention of unauthorized entry to, and contamination of, the water supply.

- Protection of finished water facilities from flooding, infiltration, entry of birds, insects, rodents, and other vermin. This includes provision of pipe and vent screening, and watertight covers.

- Notification to the NMED and implementation of corrective measures, should measures to prevent contamination and unauthorized entry be found inadequate or compromised.

- Disinfection following construction or modification.

- Coatings shall be suitable for contact w/ potable water. Structures shall be flushed, then disinfected subsequent to maintenance or re-coating.

- Prohibition of iodine as disinfectant.

- Additives to water must be ANSI/National Sanitation Foundation certified or compliant with the most recent applicable safety standards.

- Cross-connections must have backflow prevention.

WIPP documents compliance with the above performance requirements as part of the work package process for performing maintenance and modifications to the WIPP water infrastructure.

30.2.6 Sampling Requirements, 20.7.10.500 NMAC

Section 20.7.10.500 NMAC gives NMED the discretion to order sampling over and above that required by 40 CFR Part 141.

To date, the NMED has not required sampling beyond that mandated by 40 CFR Part 141.

31.0 NEW MEXICO HAZARDOUS CHEMICALS INFORMATION ACT

31.1 Summary of the Law

The New Mexico Hazardous Chemicals Information Act (HCIA) (74-4E-1 through 74-4E-9 NMSA 1978) was enacted to ensure that current information on the nature and location of hazardous chemicals is available to LEPCs, emergency responders, and the public as required by SARA Title III. The HCIA created the SERC and directs facility owners or operators to notify the New Mexico Department of Public Safety under certain conditions, including the presence of extremely hazardous substances at or above a specified quantity at a facility and the release of any chemical substance that has occurred at or above RQs determined by the state. The HCIA specifies reports to be submitted to the state, including toxic chemical release and hazardous material inventory reports.

31.2 Status of Compliance With the Regulatory Requirements

The text provides more detail for each applicable requirement and its compliance status under the HCIA.

31.2.1 Notice of Extremely Hazardous Substance, §74-4E-5(A)(1)

Facility owners or operators must notify the public safety department that an extremely hazardous substance, at or above the TPQ, is present at a facility.

The DOE submits a list of hazardous chemicals to the SERC, the LEPC, and all local fire departments with which WIPP maintains an MOU whenever additional substances are received above the TPQ, or 10,000 pounds; or if significant new information is received about an item for which a list was provided. A revised list of hazardous chemicals was submitted to these organizations in August 1999 (Westinghouse Electric Corporation, Waste Isolation Division, 1999). The listing comprised extremely hazardous substances present in amounts equal to or greater than the TPQ, or 500 pounds, whichever is less, and all substances classified as hazardous under the Occupational Safety and Health Act Hazard Communication Standard with site inventories equal to or greater than 10,000 pounds. No additional reporting has been required since the 1999 submission.

31.2.2 Notice of Release of Chemical Substance(s), §74-4E-5(A)(2)

Facility owners or operators must notify the public safety department of the release of a chemical substance when the release is at or above the RQ of the substance.

There were no releases in excess of an RQ during this reporting period.

31.2.3 Hazardous Material Inventory, §74-4E-5(A)(3)

Facility owners or operators must submit to the state an inventory form containing Tier II information on or before March 1 of each year.

The DOE submitted the Emergency and Hazardous Chemical Inventory Report in February 2007 (DOE, 2007c) and February 2008 (DOE, 2008b) to the SERC, the LEPC, and all local fire departments .

31.2.4 Toxic Chemical Release Inventory, §74-4E-5(A)(4)

Facility owners or operators employing at least 10 employees and with a covered Standard Industrial Classification code must submit a toxic chemical release form on or before July 1 of each year to the public safety department.

The MOC and the DOE each submitted Toxic Chemical Release Inventory Form R Report for the WIPP facility to the EPA and the NMED. The CY 2006 reports were submitted prior to July 1, 2007 (DOE, 2007m). The reports for CY 2007 were submitted in June 2008 (DOE, 2008j).

32.0 NEW MEXICO EMERGENCY MANAGEMENT ACT

32.1 Summary of the Law

The New Mexico Emergency Management Act (74-4B-1 through 74-4B-14 NMSA 1978) was enacted to ensure the adequacy of hazardous material emergency management capabilities in the state to protect the health and safety of New Mexico citizens and the environment. The act delineates those state agencies that are responsible for responding to hazardous material accidents and providing control and management of such accidents. The act also provides for the formulation of a comprehensive hazardous materials emergency management plan.

32.2 Status of Compliance With the Regulatory Requirements

The text provides more detail on the compliance status of each requirement under the Emergency Management Act.

32.2.1 State Police Emergency Response Officer; Procedure for Notification; Cooperation of Other State Agencies and Local Governments, §74-4B-5

> *State Police Emergency Response Officers shall be designated, trained, and available to answer an emergency response call from the first responder. The responsibilities of these officers and of the State Police Emergency Response Center are described. Any driver of a vehicle carrying hazardous materials involved in an accident which may cause injury to persons or property or any owner, shipper, or carrier of hazardous materials involved in an accident who has knowledge of such accident or any owner or person in charge of any building, premises, or facility where such an accident occurs shall immediately notify the New Mexico State Police Division of the Public Safety Department by the quickest means of communication available.*

Should an accident involving a shipment of transuranic waste to WIPP occur, the New Mexico State Police Division of the Public Safety Department will be notified by the driver, owner, shipper, or carrier of the waste as outlined in a MOC procedure and the Carrier Management Plan. In the event of an accident involving a TRU Type B Package, contact to the CMR operator will be made through the Transportation Tracking and Communications System. The CMR operator will then contact the state police and other appropriate agencies.

There were two minor traffic accidents involving shipments of TRU mixed waste in New Mexico during this reporting period. There was no loss of radioactive material, and no serious injuries as a result of the accidents. The required notifications were made.

WIPP personnel will contact the SERC in the event of a spill that could endanger human health or the environment. The SERC will, in turn, contact the NMED if their assistance is needed.

32.2.2 Clean-Up, §74-4B-10

> *Nothing in the Emergency Management Act shall be construed to relieve hazardous materials owners, shippers, or carriers of their responsibilities and liability in the event of an accident. Such persons shall assist the state as requested in responding to an accident and are responsible for restoring the scene of the accident to the satisfaction of the state.*

The selected carrier for the shipment is responsible for providing emergency response assistance and recovery/restoration actions, if required. The CBFO Incident/Accident Response Team is available to provide technical advice and assistance to local authorities, and the National Nuclear Security Administration Radiological Assistance Program teams are available to assist in the assessment of a radiological release. No cleanup activity was conducted during this reporting period.

33.0 NEW MEXICO PREHISTORIC AND HISTORIC SITES PRESERVATION ACT

33.1 Summary of the Law

The provisions of the federal National Historic Preservation Act are furthered by law in the state of New Mexico through the New Mexico Prehistoric and Historic Sites Preservation Act (18-8-1 through 18-8-8 NMSA 1978). The purpose of this act is the acquisition, stabilization, restoration, or protection of significant prehistoric and historic sites by the state of New Mexico and corporations. This act is administered by the SHPO in consultation with the Cultural Properties Review Committee.

The Prehistoric and Historic Sites Preservation Act is implemented by 4.10.12 NMAC, "Implementation of the Prehistoric and Historic Sites Preservation Act," which established procedures for acquiring, stabilizing, restoring, or protecting significant prehistoric and historic sites. Section 4.10.12 NMAC also established procedures and guidelines to evaluate alternatives to programs and projects requiring the use of land from significant prehistoric and historic sites and to determine whether all possible planning has been implemented to preserve and protect such sites. Detailed requirements for a long-term management plan for any site acquired, stabilized, restored, or protected are included under this rule.

33.2 Status of Compliance With the Regulatory Requirements

WIPP complies with the New Mexico statutes and regulations regarding cultural properties in accordance with edicts provided by the SHPO. WIPP personnel contract for archeological surveys and consult with the SHPO each time an action is proposed that would impact a previously undisturbed area. Detailed instructions for compliance with applicable cultural resource management requirements are contained in the LMP.

Prior to the issuance of the LWA, the BLM was responsible for archaeological resource management on the WIPP site and served as the DOE's liaison with the SHPO. Following the issuance of the LWA, the BLM continued to serve in this capacity until July 19, 1994, when the MOU between the DOE and the DOI was finalized. At that time, WIPP began communicating directly with the SHPO regarding archeological concerns at WIPP.

There were no archaeological clearances required and conducted during this reporting period. There were no requests for mitigation submitted to the SHPO during this reporting period.

34.0 NEW MEXICO STATE TRUST LANDS

34.1 Summary of the Law

The spirit and purpose of the federal legislation to protect and preserve the quality of public lands is furthered by law in the state of New Mexico. In 1912, the New Mexico Legislature created the State Land Office and directed that the Office's executive officer, the Commissioner of Public Lands (the Commissioner), execute jurisdiction over, and provide for the management, care, control, and disposition of, public lands owned and subsequently acquired by the state. The Commissioner was authorized to grant rights-of-way and easements over, upon, or across state lands for highways, power lines, mining, or other purposes.

The regulation of right-of-way and easement grants is addressed in 19.2.10 NMAC, "Easements and Rights-of-Way."

34.2 Status of Compliance With the Regulatory Requirements

The DOE continues to comply with all standard stipulations regarding survey plat, easement or right-of-way dimension, construction reports, and affidavits of completion, and will comply with those regarding renewal and reclamation and restoration when required. During this reporting period, the commissioner granted a renewal to the right-of-way permit allowing road use to conduct surveillance activities for WIPP. The status of each reservation is indicated in the table below.

ACTIVE RIGHT-OF-WAY RESERVATIONS AND CONCURRENCES FOR THE WASTE ISOLATION PILOT PLANT
March 31, 2008

	Granting Agency	Type of Permit	Permit Number	Granted/ Submitted	Expiration	Current Permit Status
1.	New Mexico Commissioner of Public Lands	Right-of-Way for High Volume Air Sampler	RW-22789	10/03/85	10/03/20	Active
2.	New Mexico Commissioner of Public Lands	Monitoring Well SNL-3	RW-28537	07/31/03	07/31/38	Active
3.	New Mexico Commissioner of Public Lands	Monitoring Well SNL-1	RW-28535	08/27/03	08/27/38	Active
4.	New Mexico Commissioner of Public Lands	Easement for existing road use to perform surveillance activities	RW-25430	05/30/06	05/30/16	Active

35.0 NEW MEXICO STATE IMPLEMENTATION OF THE BALD AND GOLDEN EAGLE PROTECTION ACT

35.1 Summary of the Law

The Bald and Golden Eagle Protection Act makes it unlawful to take (i.e., capture, kill, or destroy), possess, molest, or disturb living or dead bald eagles or golden eagles, their parts, their nests, or their eggs anywhere in the United States. A permit must be obtained from the DOI to relocate any nest that interferes with resource development or recovery operations. In addition, a permit may be obtained that authorizes taking, possessing, or transporting eagles or their parts, nests, or eggs.

Chapter 17 of the New Mexico statutes establishes rules and regulations to protect raptors. In particular, §17-2-14, "Hawks, vultures and owls, taking, possessing, trapping, destroying, maiming or selling prohibited; exception by permit; penalty," authorizes the Director of the New Mexico Department of Game and Fish (NMDG&F) to issue permits to allow any person to take, possess, trap, ensnare, or destroy any bird protected by this section. Permits may be granted for several purposes, including scientific purposes, in accordance with the law and the State Game Commission regulations. In addition, §§17-2-37 through 17-2-46 of the Wildlife Conservation Act also further the purpose of the Bald and Golden Eagle Protection Act with respect to the bald eagle as an endangered species.

35.2 Status of Compliance With the Regulatory Requirements

At present, no bald or golden eagles are nesting within the WIPP Land Withdrawal Area; however, individual eagles may, at times, overwinter in the WIPP area. No permit regarding bald or golden eagles is required. If it becomes necessary, a permit application will be submitted, and all applicable permit requirements will be met.

36.0 NEW MEXICO WILDLIFE CONSERVATION ACT, SUPPLEMENTING THE ENDANGERED SPECIES ACT

36.1 Summary of the Law

The federal ESA was enacted in 1973 to prevent the extinction of many species of animals and plants. The act provides strong measures to help alleviate the loss of species and their habitats. It places restrictions on a wide range of activities impacting endangered and threatened animals and plants to help ensure their continued survival. With limited exceptions, the act prohibits activities impacting these protected species unless authorized by a permit from the USFWS.

The intent of the Congressional endangered species legislation is furthered in the New Mexico Wildlife Conservation Act, which was enacted to protect the state's rare animals in 1974 (the New Mexico Endangered Plant Species Act [75-6-1 NMSA] protects rare plants). The current sections of the state's Wildlife Conservation Act reside in 17-2-37 through 17-2-46 NMSA 1978. The Wildlife Conservation Act directs that endangered species of wildlife that are indigenous to New Mexico should be managed and maintained and, to the extent possible, their numbers enhanced within the carrying capacity of the habitat. The state is directed to assist in the management of endangered and threatened species of wildlife, including those which are federally listed.

Protection under the Wildlife Conservation Act extends to native species of crustaceans, mollusks, fish, amphibians, reptiles, birds, and mammals that are listed by the State Game Commission in 19.33.6 NMAC.

Section 17-2-41 NMSA, "Endangered Species," states that "except as otherwise provided in this act, it is unlawful to take, possess, transport, export, process, sell or offer for sale, or ship" any species or subspecies of wildlife that appears on the following lists: (1) wildlife indigenous to the state determined to be endangered within the state as set forth by regulations of the Game Commission of the state of New Mexico (the Commission) and (2) the federal lists of endangered species as set forth in the ESA to the extent that such lists are adopted by regulations of the Commission. Section 17-2-38L NMSA defines "take" to include harass, hunt, capture, or kill.

In 17-2-42 NMSA, "Management Programs," the Director of the NMDG&F is directed to perform the following: (1) establish programs deemed necessary by the Commission for the management of endangered species; (2) work with federal and state entities or with private individuals in the administration and management of programs for the management of endangered species; (3) authorize by permit the taking, possession, transportation, or shipment of species deemed to need management for purposes including scientific and educational; and (4) authorize by permit the removal, capture, and destruction of endangered species where necessary to prevent damage to property or to protect human health.

The intent of the congressional legislation protecting migratory birds under the Migratory Bird Treaty Act is also addressed in Chapter 17 of the New Mexico statutes. In

particular, 17-2-3 NMSA, "Protected wildlife species and game fish defined," specifies that all of the migratory bird family Anatidae (waterfowl) is protected.
Section 17-2-14 NMSA addresses the protection of hawks, vultures, and owls.
Section 17-2-13 NMSA protects many species of songbirds. The hunting, taking, capturing, killing, or possession or the attempt to hunt, take, capture, or kill these species is regulated by the Commission.

Section 19.33.2 NMAC, "Removal, Capture or Destruction of Endangered Species," was adopted in 1975. This regulation specifies that any person who does not possess a permit and who removes, captures, or destroys any wildlife species classified as threatened or endangered by Commission regulations, must report any such incident to the NMDG&F.

Section 19.33.6 NMAC, "List of Threatened and Endangered Species," lists threatened and endangered wildlife in the state. The regulation was last amended in 2006. The 2006 changes down listed two species from endangered to threatened and up listed four species from threatened to endangered.

The amended listing of threatened and endangered wildlife of New Mexico includes a number of endangered or threatened species that could be found at WIPP and were specified in the FEIS (DOE, 1980) or the SEIS-I (DOE, 1990a). These include two species of reptiles (Western Ribbon Snake, Sand Dunes Lizard) and five species of birds (Aplomado falcon, Peregrine falcon, Bald eagle, Baird's sparrow, Varied bunting).

Section 19.36.2 NMAC, "Taking and Possession of Protected Wildlife for Scientific and Educational Purposes," contains the requirements for obtaining and using state permits and authorizations for taking and possessing wildlife for scientific and educational purposes. Permits and authorizations are issued to individuals rather than to parties or organizations; however, a permittee may have qualified subpermittees. "Protected wildlife" is defined as all wild species of mammals, birds, reptiles, amphibians, and fishes and endangered mollusks and crustaceans taken by a nonresident of New Mexico, or as pikas, marmots, and game, fur-bearing, and endangered mammals; all birds except rock doves, European starlings, and house sparrows; horned lizards if sacrificed, retained, and/or transported out of state; endangered reptiles; bullfrogs and endangered amphibians; game and endangered fishes; and endangered mollusks and crustaceans taken by a resident.

36.2 Status of Compliance With the Regulatory Requirements

In 1989, the DOE consulted with the NMDG&F regarding the state-listed endangered species in the vicinity of the WIPP site. At that time, the department communicated to the DOE their opinion of which state-listed endangered species "occur or are likely to occur at the WIPP site." The NMDG&F subsequently concurred that proposed WIPP activities would probably have no significant impacts on state-listed species in the area.

To ensure that WIPP environmental protection programs were current in their consideration of sensitive and protected species, the *Waste Isolation Pilot Plant*

Threatened and Endangered Species Survey (DOE, 1996b) was conducted from August to November 1996. No threatened or endangered species were found within the WIPP Land Withdrawal Area boundaries during the 1996 survey. Consequently, no current activities impacting endangered species are conducted at WIPP. No permits, biological assessments, or formal consultations are required.

37.0 NEW MEXICO PESTICIDE CONTROL ACT

37.1 Summary of the Law

The Pesticide Control Act (76-4-1 through 76-4-39 NMSA 1978) is administered and enforced by the New Mexico State Department of Agriculture under the direction of the Board of Regents of New Mexico State University, Las Cruces, New Mexico. This act provides for the registration, labeling, distribution, storage, transportation, application, use, and disposal of pesticides and pesticide-related devices in order to protect the environment and the public health and welfare. It provides for the licensing of pesticide dealers, consultants, applicators, and operators of pesticide apparatus and allows for penalties for noncompliance with requirements.

The Pesticide Control Act is implemented through 21.17.50 NMAC. The regulations establish requirements for licensing and for applying pesticides in New Mexico.

37.2 Status of Compliance With the Regulatory Requirements

> *There are 17 categories of licenses granted by the state of New Mexico. Each one establishes the scope of the certification examinations that must be taken by commercial, noncommercial, and public applicators and by pest-management consultants for licenses to apply specific types of pesticides*.

WIPP is not a commercial, noncommercial or public applicator, or a pest-management consultant. Licensed, certified applicators are contracted to apply pesticides at WIPP and are required to produce proof of licensing as part of the procurement process. The MOC reviews the pesticides to be applied by the subcontractor before the application to ensure that such application is according to the applicator's license. A copy of the subcontractor's current license is maintained by the MOC.

The WIPP site may be inspected periodically by the New Mexico Department of Agriculture, division of Agriculture and Environmental Services Bureau of Pesticide Management, to determine compliance with this act. There were no inspections during the reporting period.

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WTSg. WTS Transportation Program. WP 08-NT.12.

WTSh. WIPP Groundwater Monitoring Program Plan. WP 02-1.

Appendix A - CY 2006 and CY 2007 WIPP Confirmatory Measurement Compliance Reports (Title 40 CFR Part 191, Subpart A, "Environmental Standards for Management and Storage")

CY 2006 WIPP Confirmatory Measurement Compliance Report

CY 2006 Report Summary

CY 2006 CAP88-PC Output Data for the Maximum Exposed Individual at the DOE Exclusive Use Area (350 meters)

CY 2006 CAP88-PC Output Data for the Maximum Exposed Individual at the DOE Exclusive Use Area (7,500 meters)

CY 2007 WIPP Confirmatory Measurement Compliance Report

CY 2007 Report Summary

CY 2007 CAP88-PC Output Data for the Maximum Exposed Individual at the DOE Exclusive Use Area (350 meters)

CY 2007 CAP88-PC Output Data for the Maximum Exposed Individual at the DOE Exclusive Use Area (7,500 meters)

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Annual Periodic Confirmatory Measurement Compliance Report for the U.S. Department of Energy Waste Isolation Pilot Plant

For Calendar Year 2006

As required by
40 CFR Part 191, Subpart A,
"Environmental Standards for Management and Storage"

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CY 2006 REPORT SUMMARY

This report satisfies the reporting requirements established by 40 CFR Part 191, Subpart A, "Environmental Management and Storage." Emission monitoring and compliance procedures for U.S. Department of Energy (DOE) facilities require the use of CAP88-PC (Clean Air Act Assessment Package-1988) or AIRDOS-PC computer models, or other approved procedures, to calculate effective dose equivalents (EDEs) to members of the public.

The CAP88-PC computer model is a set of computer programs, databases and associated utility programs for estimation of dose and risk from radionuclide emissions to air. CAP88-PC dose assessment computer model was used to estimate the dose(s) reported in this report. Copies of the output data from CAP88-PC are attached.

Year of Reporting Period: 2006

Compliance:

Calculations made using the above-referenced code indicate that the EDE to the maximally exposed individual resulting from normal operations conducted at this facility is less than 8.16×10^{-5} millirem (mrem) per year whole body and 1.30×10^{-3} mrem per year to the critical organ at 350 meters NW from WIPP. At 7,500 meters NW from WIPP, the EDE to the maximally exposed individual resulting from normal operations conducted at this facility is less than 4.43×10^{-6} mrem per year whole body and 7.06×10^{-5} mrem per year to the critical organ. These values are in compliance with the standards of 40 CFR Part 191, Subpart A, which states that management and storage of transuranic radioactive wastes operated by the DOE to provide reasonable assurance that the combined annual dose equivalent to any member of the public in the general environment resulting from discharges of radioactive material and direct radiation not exceed 25 mrem to the whole-body and 75 mrem to any critical organ.

SUMMARY OF SOURCE TERM AND CALCULATED EFFECTIVE DOSE EQUIVALENTS

Table 1. Summary of Radionuclide Effluents from Underground Storage Areas

Station	Radionuclide	Activity Released (Ci/Yr)	Particle Size (μm)[1]	Class (D, W, Y)[2]
A	^{238}Pu	3.34×10^{-8}	1	W
A	$^{239/240}$Pu	3.32×10^{-8}	1	W
A	^{241}Am	4.60×10^{-8}	1	W
A	^{90}Sr	2.25×10^{-6}	1	Y
B	^{238}Pu	1.30×10^{-9}	1	W
B	$^{239/240}$Pu	1.37×10^{-9}	1	W
B	^{241}Am	2.06×10^{-9}	1	W
B	^{90}Sr	1.05×10^{-7}	1	Y

[1]Default values from CAP88-PC

[2]Nuclide Class: These are the allowed lung clearance classes for inhaled particles. D=day, W=week, and Y=year. The class field selected is chosen to yield worst case dose estimates.

Table 2. Summary of Radionuclide Effluents from WHB

Station	Radionuclide	Activity Released (Ci/Yr)	Particle Size (μm)[1]	Class (D, W, Y)[2]
C	^{238}Pu	5.56×10^{-9}	1	W
C	$^{239/240}$Pu	5.97×10^{-9}	1	W
C	^{241}Am	8.88×10^{-9}	1	W
C	^{90}Sr	3.86×10^{-7}	1	Y

FACILITY NAME AND LOCATION

Facility: Waste Isolation Pilot Plant
Facility Location: 34 Louis Whitlock Road
P.O. Box 2078
Carlsbad, New Mexico 88221

RADIOACTIVE MATERIALS USED

The waste managed at WIPP contains transuranic (TRU) radionuclides. The TRU radionuclides with the highest potential to deliver a dose to an off-site receptor are ^{238}Pu, $^{239/240}$Pu[3], ^{241}Am, and ^{90}Sr. Operations at the WIPP facility do not involve handling any loose radioactive material. All waste containers are sealed at the waste-generating facilities and remain sealed during the disposal operation. Removable contamination on the exterior surfaces of containers is restricted to minimal levels in accordance with DOE/WIPP-02-3122, *Contact-Handled Transuranic Waste Acceptance Criteria*, and does not present a significant source of radionuclides that would be subject to release in airborne effluents. During normal operating conditions, there is essentially no potential for airborne emissions of radionuclides contained in the TRU waste managed at the WIPP facility.

Small quantities (i.e., activities) of radioactive materials (mostly sealed sources) are used at the WIPP facility to calibrate and verify the operation of various radiation detection instrumentation. However, this source of radioactive materials does not have the potential to result in measurable off-site dose consequences.

DESCRIPTION OF OPERATIONS

The WIPP facility is a TRU radioactive waste disposal facility owned by the DOE and operated by Washington TRU Solutions LLC (WTS) of Washington Group International, Inc. The principal operation of the WIPP facility involves the receipt of contact and receipt of remote-handled (RH) TRU and TRU mixed waste and emplacement in the underground repository for disposal. Only waste that conforms with DOE/WIPP-02-3122 is accepted for placement in the WIPP facility. Administrative controls prohibit the waste containers from being opened once they are accepted at WIPP.

[3]The main alpha peaks for ^{239}Pu and ^{240}Pu differ by less than 0.02 MeV. Spectral resolution of these peaks is, therefore, insufficient to discriminate individual isotopic contributions. Therefore, these two radionuclides are reported as $^{239/240}$Pu.

EMISSION POINTS

The WIPP facility has three effluent monitoring stations. These are known as Stations A, B, and C. Immediately after passing by Station A, unfiltered air is exhausted from the repository. Prior to Station B, high-efficiency particulate air (HEPA) filters are first used to filter the exhaust from the repository. When in filtration mode, Stations A and B are mutually exclusive (i.e., when air is exhausted from one Station, none is exhausted from the other Station). Stations A and B sample the same air when operating in the maintenance bypass, reduced, or minimum mode. Station C is used to sample the exhaust from the WHB. Prior to sampling activities at Station C and then venting to the atmosphere, the collective air passes through HEPA filters.

EFFLUENT CONTROLS

Continuous Air monitors (CAMs) are maintained at strategic locations in the WHB and in the underground repository to monitor the real-time levels of airborne radioactivity. Readouts from the underground air monitors are displayed in the Central Monitoring Room (CMR), a continuously occupied location from which WIPP facility operations are monitored. During normal conditions, the underground repository effluent does not pass through HEPA filtration units before being discharged to the environment through Station A. The WHB effluent, generated by surface waste handling operations, is subject to continuous HEPA filtration before being discharged to the environment through Station C. Stations B and C HEPA filtration units are dioctyl phthalate (DOP) tested annually and exhibit a minimum efficiency of 99.97 percent.

The WHB ventilation system maintains a negative pressure differential between the outside environment and the waste handling environment. This provides a secondary confinement barrier against the release of radionuclides to the environment, where the waste containers themselves are considered the primary barrier. A negative pressure differential ensures that any leaks in the WHB structure will result in an in-leakage of outside air, which precludes the release of airborne contamination inside the WHB to the environment. WIPP's primary mitigation for failure of a waste container is HEPA filtration for the surface and underground facility.

The underground ventilation system is composed of four separate ventilation circuits. A dedicated ventilation circuit (or air flow pathway) provides air to the disposal panels inhibiting the spread of contamination in the unlikely event radioactive material becomes airborne. Separation of the air flows is maintained by the use of a series of ventilation bulkheads until all air flows are recombined at the exhaust shaft. A pressure differential (separating low and high pressures) is maintained between the ventilation circuits to ensure that air will flow from the non-radiation areas (locations where radioactive waste is prohibited, and the least contamination potential) to the radioactive materials areas (locations immediately next to the waste that have the highest contamination potential).

The WIPP facility uses skid-mounted fixed air samplers (FASs) at each effluent monitoring stations (Stations A, B, and C) to collect representative samples of airborne particulates. Each FAS has two independent vacuum pumps; one vacuum pump supplies the vacuum and the other functions as a backup. In the event of an external power failure, an uninterruptible power supply provides sufficient power to all FAS units for approximately 30 minutes. Diesel generators are available to supply electrical power should the electrical outage last longer than 30 minutes.

Approved and controlled operating procedures are used at the WIPP facility to ensure uniform methods are used to collect, package, and transport FAS filter samples. The use of such procedures provides a means for demonstrating quality assurance of air emission data.

Station A FAS filter samples are collected as needed each working shift in order to assure a representative sample. Station B FAS filter samples are collected weekly and at the end of each underground effluent filtration event. Station C FAS filter samples are collected weekly. Filter samples from all three effluent air monitoring stations are typically analyzed for ^{238}Pu, $^{239/240}$Pu[4], ^{241}Am, and ^{90}Sr. These five radionuclides account for approximately 98 percent of the EDE resulting from the WIPP facility air emissions (DOE/WIPP 95-2065, *WIPP Contact Handled (CH) Documented Safety Analysis*, Revision 8). The five radionuclides, which make up 98 percent of the total repository radioactivity, are based upon the transuranic inventory expected to be emplaced at the WIPP.

DISTANCES TO NEAREST RECEPTORS FROM RELEASE POINTS

The WIPP facility is located in a low population density area that has less than 30 permanent residents living within a 10-mile radius (DOE/WIPP 95-2065). The area surrounding the WIPP facility is used primarily for livestock grazing and development of potash, oil, and gas resources. All land within the WIPP site boundary up to the "Exclusive Use Area" is leased for livestock grazing, which is the only significant agricultural activity in the vicinity of the WIPP facility. Development of the natural resources results in a transient (nonpermanent) population consisting primarily of workers at three active potash mines and numerous oil and gas wells located within 10 miles of the WIPP facility.

In compliance with 40 CFR Part 191, Subpart A, the location of the maximally exposed individual is the location where an actual individual lives or works who receives the maximum annual radiation dose from the source. *The Guidance For the Implementation of EPA's Standards for Management and Storage of Transuranic Waste (40, CFR Part 191, Subpart A) at the Waste Isolation Pilot Plant (EPA 402-R-97-001)*, states, "The U.S. Environmental Protection Agency expects the DOE to examine radiation doses to individuals at any off-site point where there is a residence, school, business, or office. At the WIPP, consideration of business should include activities such as grazing, mining, or oil drilling in the vicinity of the site." Based on the above referenced EPA guidance document and WIPP's meteorological condition (i.e., the prevailing wind direction), the receptors selected are individuals at the WIPP fence line located 350 and 7,500 meters in the NW sector from the WIPP. These receptors have been selected as the location for the maximally exposed individual. In calendar year 2006, the complete set of dose and risk factors used in CAP88-PC to calculate the EDE is 8.16×10^{-5} mrem per year whole body and 1.30×10^{-3} mrem per year to the critical organ at 350 meters from the WIPP. At 7,500 meters from the WIPP, the EDE to the maximally exposed individual resulting from normal operations conducted at this facility is less than 4.43×10^{-6} mrem per year whole body and 7.06×10^{-5} mrem per year to the critical organ.

The Guidance For the Implementation of EPA's Standards for Management and Storage of Transuranic Waste (40, CFR Part 191, Subpart A) at the Waste Isolation Pilot Plant (EPA 402-R-97-001), further states, "In implementing Subpart A at WIPP, the EPA expects the DOE to analyze potential exposure pathways and then examine demographic information and conduct field investigations to identify the locations of actual individuals who could be exposed via those pathways. As a conservative simplifying assumption, the DOE could conduct separate analyses of potential doses received from each exposure pathway, then assume that a member

[4]The main alpha peaks for ^{239}Pu and ^{240}Pu differ by less that 0.02 MeV. Spectral resolution of these peaks is, therefore, insufficient to discriminate individual isotopic contributions. Therefore, these two radionuclides are reported as $^{239/240}$Pu.

of the public resides at the single geographic point on the surface where the maximum dose would be received. This dose can be calculated by summing the dose from all pathways to calculate the maximum dose to a member of the public at the single geographic point." Based on the above referenced EPA guidance document, demographic information, and WIPP's meteorological condition (i.e., the prevailing wind direction), the receptor selected is an individual at the Smith Ranch located 7,500 meters in the WNW sector. This receptor has been selected as the location for the maximally exposed individual. The complete set of dose and risk factors used in CAP88-PC to calculate the EDE of less than 4.43×10^{-6} millirem per year to the maximally exposed individual at the Smith Ranch is provided in Appendix A.

INPUT DATA FOR CAP88-PC DOSE ASSESSMENT COMPUTER MODEL

Meteorological Data File: 2006VET.wnd (Five-year average, CY 2002-2006)

Population Data File: WIPP2003.POP (Population data for WIPP region)

Annual precipitation: 32 cm/yr (Five-year average, CY 2002-2006)

Annual ambient temperature: 17.5°C (Five-year average, CY 2002-2006)

Lid height: 1,000 m

Agricultural Scenario: Local

Table 3. Characteristics of WIPP's Emission Points

Characteristics	Station A	Station B	Station C
Effective Station Height (m)	7.7	6.7	20.0
Effective Station Diameter (m)	5.2	1.8	2.6
Station Area (m^2)	21.2	2.6	6.8
Flow Rate (ft^3/min)	4.25×10^5	6.0×10^4	4.7×10^4
Flow Rate (m^3/min)	1.2×10^4	1699	1331
Exit Velocity (m/sec)	9.4	10.8	3.3
Effective Exit Velocity (m/sec)	6.7	NA	NA
Orientation	45° angle	vertical	vertical
Shape	rectangle	round	square
HEPA filtered	no	yes	yes

DESCRIPTION OF CONSTRUCTION AND MODIFICATIONS COMPLETED DURING REPORTING PERIOD

During December 2006, Station A, Skid A-1 received an upgrade to the flow control and differential pressure equipment. This upgrade has increased both the reliability and availability of the equipment. Air flow and differential pressure signals from each of the FASs on each skid is being monitored and archived by the Central Monitoring System. The remaining two skids at Station A, Skids A-2 and A-3 will be upgraded in 2007.

OATH AND SIGNATURE

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment (see 18 U.S.C. §1001).

Signed: _____

Title: Manager, Carlsbad Field Office, U.S. Department of Energy

Date: _____

C A P 8 8 - P C

Version 2.00

Clean Air Act Assessment Package - 1988

S Y N O P S I S R E P O R T

Non-Radon Individual Assessment
Jun 10, 2008 03:09 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY 2006 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Effective Dose Equivalent
(mrem/year)

8.16E-05

At This Location:	350 Meters Northwest

Dataset Name:	2006-191 A
Dataset Date:	Jun 10, 2008 03:09 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

MAXIMALLY EXPOSED INDIVIDUAL

Location of the Individual: 350 Meters Northwest
Lifetime Fatal Cancer Risk: 6.28E-10

ORGAN DOSE EQUIVALENT SUMMARY

Organ	Dose Equivalent (mrem/y)
GONADS	1.55E-05
BREAST	1.97E-06
R MAR	1.51E-04
LUNGS	3.26E-05
THYROID	1.95E-06
ENDOST	1.30E-03
RMNDR	5.46E-05
EFFEC	8.16E-05

RADIONUCLIDE EMISSIONS DURING THE YEAR 2006

Nuclide	Class	Size	Source #1 Ci/y	Source #2 Ci/y	Source #3 Ci/y	TOTAL Ci/y
AM-241	W	1.00	4.6E-08	2.1E-09	8.9E-09	5.7E-08
PU-238	W	1.00	3.3E-08	1.3E-09	5.6E-09	4.0E-08
PU-239	W	1.00	3.3E-08	1.4E-09	6.0E-09	4.1E-08
SR-90	Y	1.00	2.3E-06	1.0E-07	3.9E-07	2.7E-06

SITE INFORMATION

Temperature:	18 degrees C
Precipitation:	32 cm/y
Mixing Height:	1,000 m

SOURCE INFORMATION

Source Number:	1	2	3
Stack Height (m):	8.	7.	20.
Diameter (m):	5.	2.	3.
Plume Rise Momentum (m/s): (Exit Velocity)	7.	11.	3.

AGRICULTURAL DATA

	Vegetable	Milk	Meat
Fraction Home Produced:	1.000	1.000	1.000
Fraction From Assessment Area:	0.000	0.000	0.000
Fraction Imported:	0.000	0.000	0.000

Food Arrays were not generated for this run.
Default Values used.

DISTANCES (M) USED FOR MAXIMUM INDIVIDUAL ASSESSMENT

350

C A P 8 8 - P C

Version 2.00

Clean Air Act Assessment Package - 1988

G E N E R A L D A T A

Non-Radon Individual Assessment
Jun 10, 2008 03:09 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY 2006 WIPP ANNUAL NESHAP REPORT
	(350 meters)

Dataset Name:	2006-191 A
Dataset Date:	Jun 10, 2008 03:09 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

Nuclide	Clearance Class	Particle Size (microns)	Scavenging Coefficient (per second)	Dry Deposition Velocity (m/s)
AM-241	W	1.0	3.24E-06	1.80E-03
PU-238	W	1.0	3.24E-06	1.80E-03
PU-239	W	1.0	3.24E-06	1.80E-03
SR-90	Y	1.0	3.24E-06	1.80E-03

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

	DECAY CONSTANT (PER DAY)		TRANSFER COEFFICIENT		
Nuclide	Radioactive [1]	Surface	Water	Milk [2]	Meat [3]
AM-241	0.00E+00	5.48E-05	0.00E+00	4.00E-07	3.50E-06
PU-238	0.00E+00	5.48E-05	0.00E+00	1.00E-07	5.00E-07
PU-239	0.00E+00	5.48E-05	0.00E+00	1.00E-07	5.00E-07
SR-90	0.00E+00	5.48E-05	0.00E+00	1.50E-03	3.00E-04

FOOTNOTES:
(1) Effective radioactive decay constant in plume; set to zero if less than 1.0E-2

(2) Fraction of animal's daily intake of nuclide which appears in each L of milk (days/L)

(3) Fraction of animal's daily intake of nuclide which appears in each kg of meat (days/kg)

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

	CONCENTRATION UPTAKE FACTOR		GI UPTAKE FRACTION	
Nuclide	Forage [1]	Edible [2]	Inhalation	Ingestion
AM-241	5.50E-03	1.07E-04	1.00E-03	1.00E-03
PU-238	4.50E-04	1.93E-05	1.00E-03	1.00E-03
PU-239	4.50E-04	1.93E-05	1.00E-04	1.00E-03
SR-90	2.50E+00	1.07E-01	3.00E-01	3.00E-01

FOOTNOTES:
(1) Concentration factor for uptake of nuclide from soil for pasture and forage (in pCi/kg dry weight per pCi/kg dry soil)

(2) Concentration factor for uptake of nuclide from soil by edible parts of crops (in pCi/kg wet weight per pCi/kg dry soil)

VALUES FOR RADIONUCLIDE-INDEPENDENT PARAMETERS

HUMAN INHALATION RATE	
Cubic centimeters/hr	9.17E+05
SOIL PARAMETERS	
Effective surface density (kg/sq m, dry weight)	
(Assumes 15 cm plow layer)	2.15E+02
BUILDUP TIMES	
For activity in soil (years)	1.00E+02
For radionuclides deposited on ground/water (days)	3.65E+04
DELAY TIMES	
Ingestion of pasture grass by animals (hr)	0.00E+00
Ingestion of stored feed by animals (hr)	2.16E+03
Ingestion of leafy vegetables by man (hr)	3.36E+02
Ingestion of produce by man (hr)	3.36E+02
Transport time from animal feed-milk-man (day)	2.00E+00
Time from slaughter to consumption (day)	2.00E+01
WEATHERING	
Removal rate constant for physical loss (per hr)	2.90E-03
CROP EXPOSURE DURATION	
Pasture grass (hr)	7.20E+02
Crops/leafy vegetables (hr)	1.44E+03
AGRICULTURAL PRODUCTIVITY	
Grass-cow-milk-man pathway (kg/sq m)	2.80E-01
Produce/leafy veg for human consumption (kg/sq m)	7.16E-01
FALLOUT INTERCEPTION FRACTIONS	
Vegetables	2.00E-01
Pasture	5.70E-01
GRAZING PARAMETERS	
Fraction of year animals graze on pasture	4.00E-01
Fraction of daily feed that is pasture grass when animal grazes on pasture	4.30E-01

VALUES FOR RADIONUCLIDE-INDEPENDENT PARAMETERS

ANIMAL FEED CONSUMPTION FACTORS	
Contaminated feed/forage (kg/day, dry weight)	1.56E+01
DAIRY PRODUCTIVITY	
Milk production of cow (L/day)	1.10E+01
MEAT ANIMAL SLAUGHTER PARAMETERS	
Muscle mass of animal at slaughter (kg)	2.00E+02
Fraction of herd slaughtered (per day)	3.81E-03
DECONTAMINATION	
Fraction of radioactivity retained after washing for leafy vegetables and produce	5.00E-01
FRACTIONS GROWN IN GARDEN OF INTEREST	
Produce ingested	1.00E+00
Leafy vegetables ingested	1.00E+00
INGESTION RATIOS:	
IMMEDIATE SURROUNDING AREA/TOTAL WITHIN AREA	
Vegetables	1.00E+00
Meat	1.00E+00
Milk	1.00E+00
MINIMUM INGESTION FRACTIONS FROM OUTSIDE AREA	
(Minimum fractions of food types from outside area listed below are actual fixed values.)	
Vegetables	0.00E+00
Meat	0.00E+00
Milk	0.00E+00
HUMAN FOOD UTILIZATION FACTORS	
Produce ingestion (kg/y)	1.76E+02
Milk ingestion (L/y)	1.12E+02
Meat ingestion (kg/y)	8.50E+01
Leafy vegetable ingestion (kg/y)	1.80E+01
SWIMMING PARAMETERS	
Fraction of time spent swimming	0.00E+00
Dilution factor for water (cm)	1.00E+00

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D O S E A N D R I S K E Q U I V A L E N T S U M M A R I E S

Non-Radon Individual Assessment
Jun 10, 2008 03:09 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY 2006 WIPP ANNUAL NESHAP REPORT
	(350 meters)

Dataset Name:	2006-191 A
Dataset Date:	Jun 10, 2008 03:09 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

ORGAN DOSE EQUIVALENT SUMMARY

Organ	Selected Individual (mrem/y)
GONADS	1.55E-05
BREAST	1.97E-06
R MAR	1.51E-04
LUNGS	3.26E-05
THYROID	1.95E-06
ENDOST	1.30E-03
RMNDR	5.46E-05
EFFEC	8.16E-05

PATHWAY EFFECTIVE DOSE EQUIVALENT SUMMARY

Pathway	Selected Individual (mrem/y)
INGESTION	1.57E-05
INHALATION	6.58E-05
AIR IMMERSION	5.72E-13
GROUND SURFACE	2.55E-08
INTERNAL	8.15E-05
EXTERNAL	2.55E-08
TOTAL	8.16E-05

NUCLIDE EFFECTIVE DOSE EQUIVALENT SUMMARY

Nuclide	Selected Individual (mrem/y)
AM-241	2.92E-05
PU-238	1.80E-05
PU-239	2.02E-05
SR-90	1.41E-05
TOTAL	8.16E-05

CANCER RISK SUMMARY

Cancer	Selected Individual Total Lifetime Fatal Cancer Risk
LEUKEMIA	2.37E-10
BONE	6.94E-11
THYROID	3.75E-13
BREAST	3.00E-12
LUNG	1.20E-10
STOMACH	2.12E-12
BOWEL	7.58E-12
LIVER	1.83E-10
PANCREAS	1.77E-12
URINARY	9.18E-13
OTHER	2.17E-12
TOTAL	6.28E-10

PATHWAY RISK SUMMARY

Pathway	Selected Individual Total Lifetime Fatal Cancer Risk
INGESTION	2.10E-10
INHALATION	4.18E-10
AIR IMMERSION	1.19E-17
GROUND SURFACE	5.30E-13
INTERNAL	6.27E-10
EXTERNAL	5.30E-13
TOTAL	6.28E-10

NUCLIDE RISK SUMMARY

Nuclide	Selected Individual Total Lifetime Fatal Cancer Risk
AM-241	1.49E-10
PU-238	9.58E-11
PU-239	1.02E-10
SR-90	2.81E-10
TOTAL	6.28E-10

INDIVIDUAL EFFECTIVE DOSE EQUIVALENT RATE (mrem/y)
(All Radionuclides and Pathways)

	Distance (meters)
Direction	350
N	3.9E-05
NNW	6.1E-05
NW	8.2E-05
WNW	4.8E-05
W	3.6E-05
WSW	2.8E-05
SW	2.5E-05
SSW	2.2E-05
S	2.1E-05
SSE	2.0E-05
SE	1.8E-05
ESE	2.1E-05
E	3.6E-05
ENE	3.4E-05
NE	2.5E-05
NNE	3.0E-05

INDIVIDUAL LIFETIME RISK (deaths)
(All Radionuclides and Pathways)

	Distance (meters)
Direction	350
N	3.0E-10
NNW	4.7E-10
NW	6.3E-10
WNW	3.7E-10
W	2.8E-10
WSW	2.2E-10
SW	1.9E-10
SSW	1.7E-10
S	1.6E-10
SSE	1.6E-10
SE	1.4E-10
ESE	1.6E-10
E	2.7E-10
ENE	2.6E-10
NE	1.9E-10
NNE	2.3E-10

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Clean Air Act Assessment Package - 1988

W E A T H E R D A T A

Non-Radon Individual Assessment
Jun 10, 2008 03:09 pm

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Address:	34 Louis Whitlock Road
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Source Type:	Stack
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	(350 meters)

Dataset Name:	2006-191 A
Dataset Date:	Jun 10, 2008 03:09 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

HARMONIC AVERAGE WIND SPEEDS (WIND TOWARDS)

Pasquill Stability Class

Dir	A	B	C	D	E	F	G	Wind Freq
N	4.289	3.342	2.925	2.564	2.263	1.859	0.000	0.073
NNW	4.556	3.680	3.289	3.566	3.512	2.242	0.000	0.120
NW	4.666	3.781	3.634	4.078	4.185	2.650	0.000	0.176
WNW	4.359	3.457	3.334	3.459	3.710	2.835	0.000	0.128
W	4.147	3.455	3.283	3.770	3.391	2.351	0.000	0.068
WSW	4.256	3.323	3.268	3.675	2.991	1.972	0.000	0.047
SW	4.602	2.999	2.942	3.728	2.908	2.017	0.000	0.046
SSW	4.629	3.398	3.130	2.949	2.478	2.067	0.000	0.040
S	4.769	3.268	2.650	2.930	2.765	2.046	0.000	0.033
SSE	4.649	3.134	2.645	2.254	2.821	1.993	0.000	0.030
SE	4.151	2.808	2.631	1.989	2.057	1.826	0.000	0.027
ESE	4.139	2.709	2.073	1.740	2.252	1.766	0.000	0.027
E	5.423	3.343	2.507	2.901	3.657	2.162	0.000	0.048
ENE	4.679	3.061	2.403	2.580	2.929	2.016	0.000	0.047
NE	4.078	2.735	2.434	2.079	2.083	1.795	0.000	0.039
NNE	4.019	3.005	2.333	2.110	2.025	1.660	0.000	0.050

ARITHMETIC AVERAGE WIND SPEEDS (WIND TOWARDS)

Pasquill Stability Class

Dir	A	B	C	D	E	F	G
N	4.835	4.023	3.765	3.797	3.325	2.658	0.000
NNW	5.110	4.432	4.276	5.075	4.700	3.093	0.000
NW	5.314	4.710	4.619	5.654	5.225	3.415	0.000
WNW	4.965	4.283	4.221	4.891	4.815	3.662	0.000
W	4.866	4.262	4.523	5.639	4.974	3.498	0.000
WSW	5.145	4.473	4.425	5.652	4.833	3.062	0.000
SW	5.493	4.039	4.126	5.743	4.876	2.936	0.000
SSW	5.550	4.249	4.194	4.906	4.168	3.006	0.000
S	5.697	4.160	3.840	5.106	4.368	3.057	0.000
SSE	5.880	4.185	3.627	4.302	4.424	3.130	0.000
SE	5.107	3.526	3.309	3.397	3.533	2.831	0.000
ESE	5.344	3.606	3.033	3.552	4.011	2.871	0.000
E	6.971	5.408	5.173	6.071	5.641	3.567	0.000
ENE	5.891	4.579	4.094	4.935	4.630	3.146	0.000
E	5.083	3.648	3.528	3.572	3.315	2.683	0.000
NNE	4.651	3.614	3.221	3.348	3.196	2.425	0.000

FREQUENCIES OF STABILITY CLASSES (WIND TOWARDS)

Pasquill Stability Class

Dir	A	B	C	D	E	F	G
N	0.3800	0.0798	0.0660	0.1307	0.1204	0.2232	0.0000
NNW	0.2729	0.0521	0.0413	0.1435	0.2245	0.2656	0.0000
NW	0.1411	0.0309	0.0270	0.1428	0.3080	0.3503	0.0000
WNW	0.0927	0.0243	0.0240	0.1160	0.2311	0.5119	0.0000
W	0.0909	0.0323	0.0362	0.2056	0.2479	0.3871	0.0000
WSW	0.1072	0.0383	0.0421	0.2319	0.2297	0.3508	0.0000
SW	0.1111	0.0355	0.0386	0.2130	0.1966	0.4052	0.0000
SSW	0.1523	0.0469	0.0512	0.1864	0.1671	0.3960	0.0000
S	0.1793	0.0629	0.0599	0.2037	0.1781	0.3162	0.0000
SSE	0.2131	0.0717	0.0690	0.1822	0.1918	0.2722	0.0000
SE	0.2011	0.0860	0.0936	0.2054	0.1358	0.2780	0.0000
ESE	0.2348	0.0953	0.0894	0.1705	0.1632	0.2468	0.0000
E	0.3306	0.0833	0.0789	0.1874	0.1585	0.1614	0.0000
ENE	0.3323	0.0994	0.0779	0.1732	0.1431	0.1741	0.0000
NE	0.3491	0.1022	0.0763	0.1459	0.1184	0.2081	0.0000
NNE	0.3958	0.0978	0.0744	0.1418	0.0924	0.1978	0.0000
TOTAL	0.2089	0.0549	0.0491	0.1613	0.2063	0.3195	0.0000

ADDITIONAL WEATHER INFORMATION

Average Air Temperature:	17.5 degrees C
	290.65 K
Precipitation:	32.4 cm/y
Lid Height:	1,000 meters
Surface Roughness Length:	0.010 meters
Height of Wind Measurements:	10.0 meters
Average Wind Speed:	4.355 m/s
Vertical Temperature Gradients:	
STABILITY E	0.073 k/m
STABILITY F	0.109 k/m
STABILITY G	0.146 k/m

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C O N C E N T R A T I O N T A B L E S

Non-Radon Individual Assessment
Jun 10, 2008 03:09 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY 2006 WIPP ANNUAL NESHAP REPORT
	(350 meters)

Dataset Name:	2006-191 A
Dataset Date:	Jun 10, 2008 03:09 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
N	350	AM-241	3.0E-09	5.3E-16	1.1E-16	6.4E-16
N	350	PU-238	2.1E-09	3.8E-16	7.7E-17	4.5E-16
N	350	PU-239	2.1E-09	3.8E-16	7.8E-17	4.6E-16
N	350	SR-90	1.4E-07	2.6E-14	5.3E-15	3.1E-14
NNW	350	AM-241	4.7E-09	8.5E-16	1.6E-16	1.0E-15
NNW	350	PU-238	3.3E-09	6.0E-16	1.1E-16	7.1E-16
NNW	350	PU-239	3.3E-09	6.0E-16	1.1E-16	7.1E-16
NNW	350	SR-90	2.3E-07	4.1E-14	7.5E-15	4.8E-14
NW	350	AM-241	6.2E-09	1.1E-15	2.1E-16	1.3E-15
NW	350	PU-238	4.4E-09	8.0E-16	1.5E-16	9.5E-16
NW	350	PU-239	4.5E-09	8.0E-16	1.5E-16	9.5E-16
NW	350	SR-90	3.0E-07	5.5E-14	1.0E-14	6.5E-14
WNW	350	AM-241	3.6E-09	6.6E-16	1.7E-16	8.2E-16
WNW	350	PU-238	2.6E-09	4.7E-16	1.2E-16	5.8E-16
WNW	350	PU-239	2.6E-09	4.7E-16	1.2E-16	5.9E-16
WNW	350	SR-90	1.8E-07	3.2E-14	8.1E-15	4.0E-14
W	350	AM-241	2.8E-09	5.0E-16	9.5E-17	6.0E-16
W	350	PU-238	2.0E-09	3.6E-16	6.7E-17	4.2E-16
W	350	PU-239	2.0E-09	3.6E-16	6.8E-17	4.3E-16
W	350	SR-90	1.4E-07	2.4E-14	4.6E-15	2.9E-14
WSW	350	AM-241	2.1E-09	3.9E-16	7.2E-17	4.6E-16
WSW	350	PU-238	1.5E-09	2.7E-16	5.1E-17	3.2E-16
WSW	350	PU-239	1.5E-09	2.7E-16	5.2E-17	3.3E-16
WSW	350	SR-90	1.0E-07	1.9E-14	3.5E-15	2.2E-14
SW	350	AM-241	1.9E-09	3.5E-16	7.2E-17	4.2E-16
SW	350	PU-238	1.4E-09	2.5E-16	5.1E-17	3.0E-16
SW	350	PU-239	1.4E-09	2.5E-16	5.1E-17	3.0E-16
SW	350	SR-90	9.3E-08	1.7E-14	3.4E-15	2.0E-14
SW	350	AM-241	1.6E-09	3.0E-16	6.4E-17	3.6E-16
SW	350	PU-238	1.2E-09	2.1E-16	4.5E-17	2.6E-16
SSW	350	PU-239	1.2E-09	2.1E-16	4.6E-17	2.6E-16
SSW	350	SR-90	8.0E-08	1.4E-14	3.1E-15	1.7E-14
S	350	AM-241	1.6E-09	2.9E-16	5.1E-17	3.4E-16
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S	350	PU-239	1.1E-09	2.0E-16	3.6E-17	2.4E-16
S	350	SR-90	7.7E-08	1.4E-14	2.5E-15	1.6E-14
SSE	350	AM-241	1.6E-09	2.8E-16	4.8E-17	3.3E-16
SSE	350	PU-238	1.1E-09	2.0E-16	3.4E-17	2.3E-16
SSE	350	PU-239	1.1E-09	2.0E-16	3.4E-17	2.3E-16
SSE	350	SR-90	7.5E-08	1.4E-14	2.3E-15	1.6E-14

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
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SE	350	SR-90	6.8E-08	1.2E-14	2.4E-15	1.5E-14
ESE	350	AM-241	1.6E-09	2.8E-16	5.1E-17	3.4E-16
ESE	350	PU-238	1.1E-09	2.0E-16	3.6E-17	2.4E-16
ESE	350	PU-239	1.1E-09	2.0E-16	3.6E-17	2.4E-16
ESE	350	SR-90	7.6E-08	1.4E-14	2.5E-15	1.6E-14
E	350	AM-241	2.8E-09	5.0E-16	6.1E-17	5.6E-16
E	350	PU-238	2.0E-09	3.5E-16	4.3E-17	4.0E-16
E	350	PU-239	2.0E-09	3.6E-16	4.3E-17	4.0E-16
E	350	SR-90	1.3E-07	2.4E-14	2.9E-15	2.7E-14
ENE	350	AM-241	2.6E-09	4.8E-16	6.7E-17	5.4E-16
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NE	350	PU-238	1.3E-09	2.4E-16	4.6E-17	2.9E-16
NE	350	PU-239	1.4E-09	2.4E-16	4.6E-17	2.9E-16
NE	350	SR-90	9.2E-08	1.7E-14	3.1E-15	2.0E-14
NNE	350	AM-241	2.3E-09	4.2E-16	8.3E-17	5.0E-16
NNE	350	PU-238	1.6E-09	3.0E-16	5.8E-17	3.5E-16
NNE	350	PU-239	1.7E-09	3.0E-16	5.9E-17	3.6E-16
NNE	350	SR-90	1.1E-07	2.0E-14	4.0E-15	2.4E-14

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D O S E A N D R I S K C O N V E R S I O N F A C T O R S

Non-Radon Individual Assessment
Jun 10, 2008 03:09 pm

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	(350 meters)

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Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

DOSE AND RISK FACTOR UNITS

The units for each type of dose rate conversion factor are shown below, by pathway:

Pathway	Units
Ingestion	Millirem/picoCurie
Inhalation	Millirem/picoCurie
Immersion	Millirem-cubic cm/microCurie-year
Surface	Millirem-square cm/microCurie-year

Risks for internal exposures (inhalation and ingestion) are the lifetime risk of premature death in a birth cohort of 100,000 people for a 1 picoCurie/year intake rate, where the average lifetime is 70.7565 years.

This is simplified to lifetime risk per 100,000 picoCuries.

The units for each type of risk conversion factor are shown below, by pathway:

Pathway	Units
Ingestion	Lifetime risk/100,000 picoCuries
Inhalation	Lifetime risk/100,000 picoCuries
Immersion	Lifetime risk-cubic cm/100,000 picoCurie-years
Surface	Lifetime risk-square cm/100,000 picoCurie-years

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* NUCLIDE AM-241 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	1.001E-03	1.212E-01	1.151E+08	3.541E+04
BREAST	9.709E-05	1.176E-02	1.469E+08	5.550E+04
R MAR	6.327E-03	7.663E-01	3.737E+07	1.077E+04
LUNGS	9.714E-05	8.047E-02	6.919E+07	2.009E+04
THYROID	9.703E-05	1.175E-02	1.099E+08	3.175E+04
ENDOST	7.801E-02	9.447E+00	1.273E+08	3.693E+04
RMNDR	3.508E-03	4.176E-01	6.778E+07	1.937E+04
EFFEC	4.430E-03	5.428E-01	9.104E+07	2.875E+04

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	9.208E-03	1.110E+00	3.452E+09	1.062E+06
OVARIES	9.232E-03	1.112E+00	1.521E+09	4.384E+05
AVERAGE	9.221E-03	1.111E+00	2.486E+09	7.504E+05

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	5.337E-04	6.457E-02	1.184E+01	3.410E-03
BONE	3.433E-04	4.152E-02	2.253E+00	6.535E-04
THYROID	1.062E-06	1.283E-04	4.998E+00	1.444E-03
BREAST	7.158E-06	8.639E-04	5.751E+01	2.174E-02
LUNG	9.643E-06	2.284E-02	3.429E+01	9.960E-03
STOMACH	6.586E-06	7.140E-04	1.852E+01	5.317E-03
BOWEL	1.094E-05	3.603E-04	8.526E+00	2.445E-03
LIVER	1.198E-03	1.448E-01	2.179E+01	6.239E-03
PANCREAS	4.480E-06	5.408E-04	9.503E+00	2.760E-03
URINARY	2.298E-06	2.773E-04	8.681E+00	2.479E-03
OTHER	5.479E-06	6.614E-04	1.162E+01	3.376E-03

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.197E-10	3.843E-08	6.464E+02	1.951E-01

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* NUCLIDE PU-238 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	8.603E-04	1.041E-01	4.218E+05	7.548E+02
BREAST	8.419E-05	1.020E-02	1.806E+06	4.070E+03
R MAR	5.485E-03	6.641E-01	5.291E+04	4.514E+01
LUNGS	8.419E-05	7.893E-02	1.177E+05	1.225E+02
THYROID	8.419E-05	1.020E-02	1.709E+05	1.510E+02
ENDOST	6.763E-02	8.189E+00	2.090E+05	2.050E+02
RMNDR	3.085E-03	3.666E-01	8.732E+04	7.659E+01
EFFEC	3.853E-03	4.726E-01	4.344E+05	8.530E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	8.657E-03	1.043E+00	1.265E+07	2.264E+04
OVARIES	8.673E-03	1.045E+00	2.331E+06	2.087E+03
AVERAGE	8.665E-03	1.044E+00	7.492E+06	1.237E+04

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	4.695E-04	5.676E-02	1.676E-02	1.430E-05
BONE	3.046E-04	3.681E-02	3.700E-03	3.628E-06
THYROID	9.438E-07	1.140E-04	7.775E-03	6.866E-06
BREAST	6.493E-06	7.839E-04	7.072E-01	1.594E-03
LUNG	8.684E-06	2.272E-02	5.833E-02	6.072E-05
STOMACH	5.991E-06	6.480E-04	2.550E-02	1.840E-05
BOWEL	1.016E-05	3.272E-04	1.083E-02	6.451E-06
LIVER	1.099E-03	1.327E-01	2.503E-02	9.235E-06
PANCREAS	4.054E-06	4.895E-04	1.656E-02	1.864E-05
URINARY	2.080E-06	2.511E-04	1.007E-02	3.352E-06
OTHER	4.959E-06	5.987E-04	2.026E-02	2.280E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	2.992E-10	3.604E-08	1.948E+00	3.216E-03

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* NUCLIDE PU-239 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	9.741E-04	1.180E-01	4.329E+05	3.463E+02
BREAST	9.453E-05	1.145E-02	9.990E+05	1.617E+03
R MAR	6.166E-03	7.471E-01	1.950E+05	5.587E+01
LUNGS	9.453E-05	7.609E-02	2.420E+05	8.954E+01
THYROID	9.453E-05	1.145E-02	3.385E+05	1.165E+02
ENDOST	7.593E-02	9.199E+00	3.996E+05	1.473E+02
RMNDR	3.399E-03	4.054E-01	2.250E+05	6.734E+01
EFFEC	4.310E-03	5.278E-01	4.002E+05	3.747E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	8.801E-03	1.061E+00	1.299E+07	1.039E+04
OVARIES	8.777E-03	1.058E+00	5.506E+06	1.798E+03
AVERAGE	8.789E-03	1.059E+00	9.246E+06	6.094E+03

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	5.183E-04	6.271E-02	6.176E-02	1.770E-05
BONE	3.323E-04	4.019E-02	7.072E-03	2.606E-06
THYROID	1.027E-06	1.242E-04	1.540E-02	5.301E-06
BREAST	6.868E-06	8.298E-04	3.913E-01	6.333E-04
LUNG	9.263E-06	2.149E-02	1.200E-01	4.439E-05
STOMACH	6.254E-06	6.858E-04	6.736E-02	1.961E-05
BOWEL	9.813E-06	3.457E-04	3.275E-02	8.719E-06
LIVER	1.148E-03	1.387E-01	7.186E-02	1.699E-05
PANCREAS	4.289E-06	5.181E-04	4.236E-02	1.502E-05
URINARY	2.200E-06	2.658E-04	2.614E-02	6.081E-06
OTHER	5.246E-06	6.337E-04	5.181E-02	1.838E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.034E-10	3.656E-08	2.404E+00	1.584E-03

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* NUCLIDE SR-90 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	5.329E-06	9.758E-07	0.000E+00	0.000E+00
BREAST	5.329E-06	9.758E-07	0.000E+00	0.000E+00
R MAR	6.501E-04	1.109E-04	0.000E+00	0.000E+00
LUNGS	5.329E-06	9.220E-03	0.000E+00	0.000E+00
THYROID	5.329E-06	9.757E-07	0.000E+00	0.000E+00
ENDOST	1.438E-03	2.425E-04	0.000E+00	0.000E+00
RMNDR	2.118E-05	2.784E-04	0.000E+00	0.000E+00
EFFEC	1.304E-04	1.211E-03	0.000E+00	0.000E+00

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	1.512E-04	2.379E-05	0.000E+00	0.000E+00
OVARIES	1.512E-04	2.379E-05	0.000E+00	0.000E+00
AVERAGE	1.512E-04	2.379E-05	0.000E+00	0.000E+00

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.819E-04	2.891E-05	0.000E+00	0.000E+00
BONE	2.042E-05	3.197E-06	0.000E+00	0.000E+00
THYROID	2.352E-07	3.935E-08	0.000E+00	0.000E+00
BREAST	1.996E-06	3.193E-07	0.000E+00	0.000E+00
LUNG	2.533E-06	3.725E-03	0.000E+00	0.000E+00
STOMACH	1.117E-06	9.050E-06	0.000E+00	0.000E+00
BOWEL	5.940E-06	8.003E-05	0.000E+00	0.000E+00
LIVER	1.919E-06	4.889E-07	0.000E+00	0.000E+00
PANCREAS	1.246E-06	1.994E-07	0.000E+00	0.000E+00
URINARY	6.392E-07	1.023E-07	0.000E+00	0.000E+00
OTHER	1.524E-06	2.438E-07	0.000E+00	0.000E+00

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.931E-11	6.185E-12	0.000E+00	0.000E+00

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Clean Air Act Assessment Package - 1988

C H I / Q T A B L E S

Non-Radon Individual Assessment
Jun 10, 2008 03:09 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY 2006 WIPP ANNUAL NESHAP REPORT
	(350 meters)

Dataset Name:	2006-191 A
Dataset Date:	Jun 10, 2008 03:09 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

Jun 10, 2008 03:09 pm CHIQ
Page 1

GROUND-LEVEL CHI/Q VALUES FOR AM-241
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.638E-06
NNW	2.601E-06
NW	3.457E-06
WNW	2.020E-06
W	1.542E-06
WSW	1.185E-06
SW	1.063E-06
SSW	9.103E-07
S	8.784E-07
SSE	8.620E-07
SE	7.753E-07
ESE	8.757E-07
E	1.536E-06
ENE	1.467E-06
NE	1.056E-06
NNE	1.287E-06

GROUND-LEVEL CHI/Q VALUES FOR PU-238
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.636E-06
NNW	2.607E-06
NW	3.472E-06
WNW	2.025E-06
W	1.549E-06
WSW	1.190E-06
SW	1.067E-06
SSW	9.121E-07
S	8.805E-07
SSE	8.632E-07
SE	7.737E-07
ESE	8.749E-07
E	1.542E-06
ENE	1.470E-06
NE	1.055E-06
NNE	1.285E-06

GROUND-LEVEL CHI/Q VALUES FOR PU-239
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.637E-06
NNW	2.603E-06
NW	3.463E-06
WNW	2.021E-06
W	1.545E-06
WSW	1.187E-06
SW	1.064E-06
SSW	9.108E-07
S	8.791E-07
SSE	8.623E-07
SE	7.742E-07
ESE	8.750E-07
E	1.539E-06
ENE	1.468E-06
NE	1.055E-06
NNE	1.286E-06

GROUND-LEVEL CHI/Q VALUES FOR SR-90
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.642E-06
NNW	2.616E-06
NW	3.485E-06
WNW	2.035E-06
W	1.554E-06
WSW	1.194E-06
SW	1.070E-06
SSW	9.155E-07
S	8.833E-07
SSE	8.663E-07
SE	7.774E-07
ESE	8.786E-07
E	1.545E-06
ENE	1.474E-06
NE	1.058E-06
NNE	1.289E-06

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Clean Air Act Assessment Package - 1988

S Y N O P S I S R E P O R T

Non-Radon Individual Assessment
Jun 10, 2008 03:24 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY 2006 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Effective Dose Equivalent
(mrem/year)

4.43E-06

At This Location:	7,500 Meters Northwest

Dataset Name:	2006WIPP191A 350
Dataset Date:	Jun 10, 2008 03:23 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

MAXIMALLY EXPOSED INDIVIDUAL

Location of the Individual: 7,500 Meters Northwest
Lifetime Fatal Cancer Risk: 3.39E-11

ORGAN DOSE EQUIVALENT SUMMARY

Organ	Dose Equivalent (mrem/y)
GONADS	8.45E-07
BREAST	1.07E-07
R MAR	8.14E-06
LUNGS	1.77E-06
THYROID	1.05E-07
ENDOST	7.06E-05
RMNDR	2.97E-06
EFFEC	4.43E-06

RADIONUCLIDE EMISSIONS DURING THE YEAR 2006

Nuclide	Class	Size	Source #1 Ci/y	Source #2 Ci/y	Source #3 Ci/y	TOTAL Ci/y
AM-241	W	1.00	4.6E-08	2.1E-09	8.9E-09	5.7E-08
PU-238	W	1.00	3.3E-08	1.3E-09	5.6E-09	4.0E-08
PU-239	W	1.00	3.3E-08	1.4E-09	6.0E-09	4.1E-08
SR-90	Y	1.00	2.3E-06	1.0E-07	3.9E-07	2.7E-06

SITE INFORMATION

Temperature:	18 degrees C
Precipitation:	32 cm/y
Mixing Height:	1,000 m

SOURCE INFORMATION

Source Number:	1	2	3
Stack Height (m):	8.	7.	20.
Diameter (m):	5.	2.	3.
Plume Rise Momentum (m/s): (Exit Velocity)	7.	11.	3.

AGRICULTURAL DATA

AGRICULTURAL DATA

	Vegetable	Milk	Meat
Fraction Home Produced:	1.000	1.000	1.000
Fraction From Assessment Area:	0.000	0.000	0.000
Fraction Imported:	0.000	0.000	0.000

Food Arrays were not generated for this run.
Default Values used.

DISTANCES (M) USED FOR MAXIMUM INDIVIDUAL ASSESSMENT

7,500

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G E N E R A L D A T A

Non-Radon Individual Assessment
Jun 10, 2008 03:24 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY 2006 WIPP ANNUAL NESHAP REPORT
	(7,500 meters)

Dataset Name:	2006WIPP191A 350
Dataset Date:	Jun 10, 2008 03:23 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

Nuclide	Clearance Class	Particle Size (microns)	Scavenging Coefficient (per second)	Dry Deposition Velocity (m/s)
AM-241	W	1.0	3.24E-06	1.80E-03
PU-238	W	1.0	3.24E-06	1.80E-03
PU-239	W	1.0	3.24E-06	1.80E-03
SR-90	W	1.0	3.24E-06	1.80E-03

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

	DECAY CONSTANT (PER DAY)		TRANSFER COEFFICIENT		
Nuclide	Radioactive (1)	Surface	Water	Milk (2)	Meat (3)
AM-241	0.00E+00	5.48E-05	0.00E+00	4.00E-07	3.50E-06
PU-238	0.00E+00	5.48E-05	0.00E+00	1.00E-07	5.00E-07
PU-239	0.00E+00	5.48E-05	0.00E+00	1.00E-07	5.00E-07
SR-90	0.00E+00	5.48E-05	0.00E+00	1.50E-03	3.00E-04

FOOTNOTES: (1)Effective radioactive decay constant in plume; set to zero if less than 1.0E-2

(2) Fraction of animal's daily intake of nuclide which appears in each L of milk (days/L)

(3) Fraction of animal's daily intake of nuclide which appears in each kg of meat (days/kg)

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

	CONCENTRATION UPTAKE FACTOR		GI UPTAKE FRACTION	
Nuclide	Forage (1)	Edible (2)	Inhalation	Ingestion
AM-241	5.50E-03	1.07E-04	1.00E-03	1.00E-03
PU-238	4.50E-04	1.93E-05	1.00E-03	1.00E-03
PU-239	4.50E-04	1.93E-05	1.00E-04	1.00E-03
SR-90	2.50E+00	1.07E-01	3.00E-01	3.00E-01

FOOTNOTES: (1) Concentration factor for uptake of nuclide from soil for pasture and forage (in pCi/kg dry weight per pCi/kg dry soil)

(2) Concentration factor for uptake of nuclide from soil by edible parts of crops (in pCi/kg wet weight per pCi/kg dry soil)

VALUES FOR RADIONUCLIDE-INDEPENDENT PARAMETERS

HUMAN INHALATION RATE	
Cubic centimeters/hr	9.17E+05
SOIL PARAMETERS	
Effective surface density (kg/sq m, dry weight)	
(Assumes 15 cm plow layer)	2.15E+02
BUILDUP TIMES	
For activity in soil (years)	1.00E+02
For radionuclides deposited on ground/water (days)	3.65E+04
DELAY TIMES	
Ingestion of pasture grass by animals (hr)	0.00E+00
Ingestion of stored feed by animals (hr)	2.16E+03
Ingestion of leafy vegetables by man (hr)	3.36E+02
Ingestion of produce by man (hr)	3.36E+02
Transport time from animal feed-milk-man (day)	2.00E+00
Time from slaughter to consumption (day)	2.00E+01
WEATHERING	
Removal rate constant for physical loss (per hr)	2.90E-03
CROP EXPOSURE DURATION	
Pasture grass (hr)	7.20E+02
Crops/leafy vegetables (hr)	1.44E+03
AGRICULTURAL PRODUCTIVITY	
Grass-cow-milk-man pathway (kg/sq m)	2.80E-01
Produce/leafy veg for human consumption (kg/sq m)	7.16E-01
FALLOUT INTERCEPTION FRACTIONS	
Vegetables	2.00E-01
Pasture	5.70E-01
GRAZING PARAMETERS	
Fraction of year animals graze on pasture 4.00E-01	
Fraction of daily feed that is pasture grass when animal grazes on pasture	4.30E-01

VALUES FOR RADIONUCLIDE-INDEPENDENT PARAMETERS

ANIMAL FEED CONSUMPTION FACTORS	
Contaminated feed/forage (kg/day, dry weight)	1.56E+01
DAIRY PRODUCTIVITY	
Milk production of cow (L/day)	1.10E+01
MEAT ANIMAL SLAUGHTER PARAMETERS	
Muscle mass of animal at slaughter (kg)	2.00E+02
Fraction of herd slaughtered (per day)	3.81E-03
DECONTAMINATION	
Fraction of radioactivity retained after washing for leafy vegetables and produce	5.00E-01
FRACTIONS GROWN IN GARDEN OF INTEREST	
Produce ingested	1.00E+00
Leafy vegetables ingested	1.00E+00
INGESTION RATIOS:	
IMMEDIATE SURROUNDING AREA/TOTAL WITHIN AREA	
Vegetables	1.00E+00
Meat	1.00E+00
Milk	1.00E+00
MINIMUM INGESTION FRACTIONS FROM OUTSIDE AREA	
(Minimum fractions of food types from outside area listed below are actual fixed values.)	
Vegetables	0.00E+00
Meat	0.00E+00
Milk	0.00E+00
HUMAN FOOD UTILIZATION FACTORS	
Produce ingestion (kg/y)	1.76E+02
Milk ingestion (L/y)	1.12E+02
Meat ingestion (kg/y)	8.50E+01
Leafy vegetable ingestion (kg/y)	1.80E+01
SWIMMING PARAMETERS	
Fraction of time spent swimming	0.00E+00
Dilution factor for water (cm)	1.00E+00

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D O S E A N D R I S K E Q U I V A L E N T S U M M A R I E S

Non-Radon Individual Assessment
Jun 10, 2008 03:24 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY-2006 WIPP ANNUAL NESHAP REPORT
	(7,500 meters)

Dataset Name:	2006WIPP191A 350
Dataset Date:	Jun 10, 2008 03:23 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

ORGAN DOSE EQUIVALENT SUMMARY

Organ	Selected Individual (mrem/y)
GONADS	8.45E-07
BREAST	1.07E-07
R MAR	8.14E-06
LUNGS	1.77E-06
THYROID	1.05E-07
ENDOST	7.06E-05
RMNDR	2.97E-06
EFFEC	4.43E-06

PATHWAY EFFECTIVE DOSE EQUIVALENT SUMMARY

Pathway	Selected Individual (mrem/y)
INGESTION	8.28E-07
INHALATION	3.60E-06
AIR IMMERSION	3.13E-14
GROUND SURFACE	1.35E-09
INTERNAL	4.43E-06
EXTERNAL	1.35E-09
TOTAL	4.43E-06

NUCLIDE EFFECTIVE DOSE EQUIVALENT SUMMARY

Nuclide	Selected Individual (mrem/y)
AM-241	1.60E-06
PU-238	9.82E-07
PU-239	1.10E-06
SR-90	7.48E-07
TOTAL	4.43E-06

CANCER RISK SUMMARY

Cancer	Selected Individual Total Lifetime Fatal Cancer Risk
LEUKEMIA	1.26E-11
BONE	3.75E-12
THYROID	2.01E-14
BREAST	1.60E-13
LUNG	6.54E-12
STOMACH	1.14E-13
BOWEL	4.04E-13
LIVER	1.00E-11
PANCREAS	9.46E-14
URINARY	4.90E-14
OTHER	1.16E-13
TOTAL	3.39E-11

PATHWAY RISK SUMMARY

Pathway	Selected Individual Total Lifetime Fatal Cancer Risk
INGESTION	1.11E-11
INHALATION	2.28E-11
AIR IMMERSION	6.52E-19
GROUND SURFACE	2.81E-14
INTERNAL	3.39E-11
EXTERNAL	2.81E-14
TOTAL	3.39E-11

NUCLIDE RISK SUMMARY

Nuclide	Selected Individual Total Lifetime Fatal Cancer Risk
AM-241	8.14E-12
PU-238	5.21E-12
PU-239	5.55E-12
SR-90	1.50E-11
TOTAL	3.39E-11

INDIVIDUAL EFFECTIVE DOSE EQUIVALENT RATE (mrem/y)
(All Radionuclides and Pathways)

	Distance (meters)
Direction	7,500
N	1.6E-06
NNW	2.7E-06
NW	4.4E-06
WNW	3.9E-06
W	2.0E-06
WSW	1.5E-06
SW	1.5E-06
SSW	1.3E-06
S	9.4E-07
SSE	8.2E-07
SE	8.1E-07
ESE	7.8E-07
E	8.5E-07
ENE	9.2E-07
NE	8.9E-07
NNE	1.1E-06

INDIVIDUAL LIFETIME RISK (deaths)
(All Radionuclides and Pathways)

Direction	Distance (meters) 7,500
N	1.2E-11
NNW	2.1E-11
NW	3.4E-11
WNW	3.0E-11
W	1.6E-11
WSW	1.1E-11
SW	1.2E-11
SSW	9.9E-12
S	7.2E-12
SSE	6.3E-12
SE	6.2E-12
ESE	6.0E-12
E	6.6E-12
ENE	7.1E-12
NE	6.9E-12
NNE	8.5E-12

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D O S E A N D R I S K C O N V E R S I O N F A C T O R S

Non-Radon Individual Assessment
Jun 10, 2008 03:24 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221
Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006
Comments:	CY 2006 WIPP ANNUAL NESHAP REPORT (7,500 meters)
Dataset Name:	2006WIPP191A 350
Dataset Date:	Jun 10, 2008 03:23 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

DOSE AND RISK FACTOR UNITS

The units for each type of dose rate conversion factor are shown below, by pathway:

Pathway	Units
Ingestion	Millirem/picoCurie
Inhalation	Millirem/picoCurie
Immersion	Millirem-cubic cm/microCurie-year
Surface	Millirem-square cm/microCurie-year

Risks for internal exposures (inhalation and ingestion) are the lifetime risk of premature death in a birth cohort of 100,000 people for a 1 picoCurie/year intake rate, where the average lifetime is 70.7565 years.

This is simplified to lifetime risk per 100,000 picoCuries.

The units for each type of risk conversion factor are shown below, by pathway:

Pathway	Units
Ingestion	Lifetime risk/100,000 picoCuries
Inhalation	Lifetime risk/100,000 picoCuries
Immersion	Lifetime risk-cubic cm/100,000 picoCurie-years
Surface	Lifetime risk-square cm/100,000 picoCurie-years

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* NUCLIDE AM-241 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	1.001E-03	1.22E-01	1.151E+08	3.541E+04
BREAST	9.709E-05	1.176E-02	1.469E+08	5.550E+04
R MAR	6.327E-03	7.663E-01	3.737E+07	1.077E+04
LUNGS	9.714E-05	8.047E-02	6.919E+07	2.009E+04
THYROID	9.703E-05	1.175E-02	1.099E+08	3.175E+04
ENDOST	7.801E-02	9.447E+00	1.273E+08	3.693E+04
RMNDR	3.508E-03	4.176E-01	6.778E+07	1.937E+04
EFFEC	4.430E-03	5.428E-01	9.104E+07	2.875E+04

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	9.208E-03	1.110E+00	3.452E+09	1.062E+06
OVARIES	9.232E-03	1.112E+00	1.521E+09	4.384E+05
AVERAGE	9.221E-03	1.111E+00	2.486E+09	7.504E+05

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	5.337E-04	6.457E-02	1.184E+01	3.410E-03
BONE	3.433E-04	4.152E-02	2.253E+00	6.535E-04
THYROID	1.062E-06	1.283E-04	4.998E+00	1.444E-03
BREAST	7.158E-06	8.639E-04	5.751E+01	2.174E-02
LUNG	9.643E-06	2.284E-02	3.429E+01	9.960E-03
STOMACH	6.586E-06	7.140E-04	1.852E+01	5.317E-03
BOWEL	1.094E-05	3.603E-04	8.526E+00	2.445E-03
LIVER	1.198E-03	1.448E-01	2.179E+01	6.239E-03
PANCREAS	4.480E-06	5.408E-04	9.503E+00	2.760E-03
URINARY	2.298E-06	2.773E-04	8.681E+00	2.479E-03
OTHER	5.479E-06	6.614E-04	1.162E+01	3.376E-03

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.197E-10	3.843E-08	6.464E+02	1.951E-01

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* NUCLIDE PU-238 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	8.603E-04	1.041E-01	4.218E+05	7.548E+02
BREAST	8.419E-05	1.020E-02	1.806E+06	4.070E+03
R MAR	5.485E-03	6.641E-01	5.291E+04	4.514E+01
LUNGS	8.419E-05	7.893E-02	1.177E+05	1.225E+02
THYROID	8.419E-05	1.020E-02	1.709E+05	1.510E+02
ENDOST	6.763E-02	8.189E+00	2.090E+05	2.050E+02
RMNDR	3.085E-03	3.666E-01	8.732E+04	7.659E+01
EFFEC	3.853E-03	4.726E-01	4.344E+05	8.530E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	8.657E-03	1.043E+00	1.265E+07	2.264E+04
OVARIES	8.673E-03	1.045E+00	2.331E+06	2.087E+03
AVERAGE	8.665E-03	1.044E+00	7.492E+06	1.237E+04

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	4.695E-04	5.676E-02	1.676E-02	1.430E-05
BONE	3.046E-04	3.681E-02	3.700E-03	3.628E-06
THYROID	9.438E-07	1.140E-04	7.775E-03	6.866E-06
BREAST	6.493E-06	7.839E-04	7.072E-01	1.594E-03
LUNG	8.684E-06	2.272E-02	5.833E-02	6.072E-05
STOMACH	5.991E-06	6.480E-04	2.550E-02	1.840E-05
BOWEL	1.016E-05	3.272E-04	1.083E-02	6.451E-06
LIVER	1.099E-03	1.327E-01	2.503E-02	9.235E-06
PANCREAS	4.054E-06	4.895E-04	1.656E-02	1.864E-05
URINARY	2.080E-06	2.511E-04	1.007E-02	3.352E-06
OTHER	4.959E-06	5.987E-04	2.026E-02	2.280E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	2.992E-10	3.604E-08	1.948E+00	3.216E-03

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* NUCLIDE PU-239 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	9.741E-04	1.180E-01	4.329E+05	3.463E+02
BREAST	9.453E-05	1.145E-02	9.990E+05	1.617E+03
R MAR	6.166E-03	7.471E-01	1.950E+05	5.587E+01
LUNGS	9.453E-05	7.609E-02	2.420E+05	8.954E+01
THYROID	9.453E-05	1.145E-02	3.385E+05	1.165E+02
ENDOST	7.593E-02	9.199E+00	3.996E+05	1.473E+02
RMNDR	3.399E-03	4.054E-01	2.250E+05	6.734E+01
EFFEC	4.310E-03	5.278E-01	4.002E+05	3.747E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	8.801E-03	1.061E+00	1.299E+07	1.039E+04
OVARIES	8.777E-03	1.058E+00	5.506E+06	1.798E+03
AVERAGE	8.789E-03	1.059E+00	9.246E+06	6.094E+03

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	5.183E-04	6.271E-02	6.176E-02	1.770E-05
BONE	3.323E-04	4.019E-02	7.072E-03	2.606E-06
THYROID	1.027E-06	1.242E-04	1.540E-02	5.301E-06
BREAST	6.868E-06	8.298E-04	3.913E-01	6.333E-04
LUNG	9.263E-06	2.149E-02	1.200E-01	4.439E-05
STOMACH	6.254E-06	6.858E-04	6.736E-02	1.961E-05
BOWEL	9.813E-06	3.457E-04	3.275E-02	8.719E-06
LIVER	1.148E-03	1.387E-01	7.186E-02	1.699E-05
PANCREAS	4.289E-06	5.181E-04	4.236E-02	1.502E-05
URINARY	2.200E-06	2.658E-04	2.614E-02	6.081E-06
OTHER	5.246E-06	6.337E-04	5.181E-02	1.838E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.034E-10	3.656E-08	2.404E+00	1.584E-03

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* NUCLIDE SR-90 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	5.329E-06	9.758E-07	0.000E+00	0.000E+00
BREAST	5.329E-06	9.758E-07	0.000E+00	0.000E+00
R MAR	6.501E-04	1.109E-04	0.000E+00	0.000E+00
LUNGS	5.329E-06	9.220E-03	0.000E+00	0.000E+00
THYROID	5.329E-06	9.757E-07	0.000E+00	0.000E+00
ENDOST	1.438E-03	2.425E-04	0.000E+00	0.000E+00
RMNDR	2.118E-05	2.784E-04	0.000E+00	0.000E+00
EFFEC	1.304E-04	1.211E-03	0.000E+00	0.000E+00

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	1.512E-04	2.379E-05	0.000E+00	0.000E+00
OVARIES	1.512E-04	2.379E-05	0.000E+00	0.000E+00
AVERAGE	1.512E-04	2.379E-05	0.000E+00	0.000E+00

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.819E-04	2.891E-05	0.000E+00	0.000E+00
BONE	2.042E-05	3.197E-06	0.000E+00	0.000E+00
THYROID	2.352E-07	3.935E-08	0.000E+00	0.000E+00
BREAST	1.996E-06	3.193E-07	0.000E+00	0.000E+00
LUNG	2.533E-06	3.725E-03	0.000E+00	0.000E+00
STOMACH	1.117E-06	9.050E-06	0.000E+00	0.000E+00
BOWEL	5.940E-06	8.003E-05	0.000E+00	0.000E+00
LIVER	1.919E-06	4.889E-07	0.000E+00	0.000E+00
PANCREAS	1.246E-06	1.994E-07	0.000E+00	0.000E+00
URINARY	6.392E-07	1.023E-07	0.000E+00	0.000E+00
OTHER	1.524E-06	2.438E-07	0.000E+00	0.000E+00

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.931E-11	6.185E-12	0.000E+00	0.000E+00

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Clean Air Act Assessment Package - 1988

C O N C E N T R A T I O N T A B L E S

Non-Radon Individual Assessment
Jun 10, 2008 03:24 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY 2006 WIPP ANNUAL NESHAP REPORT
	(7,500 meters)

Dataset Name:	2006WIPP191A 350
Dataset Date:	Jun 10, 2008 03:23 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

Jun 10, 2008 03:24 pm CONCEN
Page 1

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
N	7,500	AM-241	1.2E-10	2.2E-17	4.8E-18	2.7E-17
N	7,500	PU-238	8.7E-11	1.6E-17	3.4E-18	1.9E-17
N	7,500	PU-239	8.7E-11	1.6E-17	3.4E-18	.9E-17
N	7,500	SR-90	5.9E-09	1.1E-15	2.3E-16	1.3E-15
NNW	7,500	AM-241	2.1E-10	3.8E-17	6.8E-18	4.5E-17
NNW	7,500	PU-238	1.5E-10	2.7E-17	4.8E-18	3.1E-17
NNW	7,500	PU-239	1.5E-10	2.7E-17	4.9E-18	3.2E-17
NNW	7,500	SR-90	1.0E-08	1.8E-15	3.3E-16	2.1E-15
NW	7,500	AM-241	3.4E-10	6.2E-17	9.2E-18	7.1E-17
NW	7,500	PU-238	2.4E-10	4.4E-17	6.5E-18	5.0E-17
NW	7,500	PU-239	2.4E-10	4.4E-17	6.6E-18	5.0E-17
NW	7,500	SR-90	1.6E-08	3.0E-15	4.4E-16	3.4E-15
WNW	7,500	AM-241	3.1E-10	5.5E-17	7.3E-18	6.2E-17
WNW	7,500	PU-238	2.2E-10	3.9E-17	5.2E-18	4.4E-17
WNW	7,500	PU-239	2.2E-10	3.9E-17	5.2E-18	4.4E-17
WNW	7,500	SR-90	1.5E-08	2.6E-15	3.5E-16	3.0E-15
W	7,500	AM-241	1.6E-10	2.8E-17	4.1E-18	3.2E-17
W	7,500	PU-238	1.1E-10	2.0E-17	2.9E-18	2.3E-17
W	7,500	PU-239	1.1E-10	2.0E-17	2.9E-18	2.3E-17
W	7,500	SR-90	7.6E-09	1.4E-15	2.0E-16	1.6E-15
WSW	7,500	AM-241	1.1E-10	2.1E-17	3.1E-18	2.4E-17
WSW	7,500	PU-238	8.1E-11	1.5E-17	2.2E-18	1.7E-17
WSW	7,500	PU-239	8.1E-11	1.5E-17	2.2E-18	1.7E-17
WSW	7,500	SR-90	5.5E-09	9.9E-16	1.5E-16	1.1E-15
SW	7,500	AM-241	1.2E-10	2.1E-17	3.1E-18	2.4E-17
SW	7,500	PU-238	8.2E-11	1.5E-17	2.2E-18	1.7E-17
SW	7,500	PU-239	8.3E-11	1.5E-17	2.2E-18	1.7E-17
SW	7,500	SR-90	5.6E-09	1.0E-15	1.5E-16	1.2E-15
SSW	7,500	AM-241	1.0E-10	1.8E-17	2.8E-18	2.1E-17
SSW	7,500	PU-238	7.1E-11	1.3E-17	2.0E-18	1.5E-17
SSW	7,500	PU-239	7.1E-11	1.3E-17	2.0E-18	1.5E-17
SSW	7,500	SR-90	4.8E-09	8.6E-16	1.3E-16	1.0E-15
S	7,500	AM-241	7.2E-11	1.3E-17	2.2E-18	1.5E-17
S	7,500	PU-238	5.1E-11	9.2E-18	1.6E-18	1.1E-17
S	7,500	PU-239	5.1E-11	9.3E-18	1.6E-18	1.1E-17
S	7,500	SR-90	3.5E-09	6.3E-16	1.1E-16	7.3E-16
SSE	7,500	AM-241	6.3E-11	1.1E-17	2.1E-18	1.3E-17
SSE	7,500	PU-238	4.4E-11	8.0E-18	1.5E-18	9.5E-18
SSE	7,500	PU-239	4.5E-11	8.0E-18	1.5E-18	9.5E-18
SSE	7,500	SR-90	3.0E-09	5.4E-16	1.0E-16	6.4E-16

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
SE	7,500	AM-241	6.2E-11	1.1E-17	2.2E-18	1.3E-17
SE	7,500	PU-238	4.4E-11	7.9E-18	1.5E-18	9.4E-18
SE	7,500	PU-239	4.4E-11	8.0E-18	1.5E-18	9.5E-18
SE	7,500	SR-90	3.0E-09	5.4E-16	1.0E-16	6.4E-16
ESE	7,500	AM-241	6.0E-11	1.1E-17	2.2E-18	1.3E-17
ESE	7,500	PU-238	4.2E-11	7.6E-18	1.6E-18	9.1E-18
ESE	7,500	PU-239	4.2E-11	7.6E-18	1.6E-18	9.2E-18
ESE	7,500	SR-90	2.9E-09	5.2E-16	1.1E-16	6.2E-16
E	7,500	AM-241	6.5E-11	1.2E-17	2.7E-18	1.4E-17
E	7,500	PU-238	4.6E-11	8.3E-18	1.9E-18	1.0E-17
E	7,500	PU-239	4.6E-11	8.3E-18	1.9E-18	1.0E-17
E	7,500	SR-90	3.1E-09	5.6E-16	1.3E-16	6.9E-16
ENE	7,500	AM-241	7.0E-11	1.3E-17	2.9E-18	1.6E-17
ENE	7,500	PU-238	4.9E-11	8.9E-18	2.1E-18	1.1E-17
ENE	7,500	PU-239	5.0E-11	9.0E-18	2.1E-18	1.1E-17
ENE	7,500	SR-90	3.4E-09	6.1E-16	1.4E-16	7.5E-16
NE	7,500	AM-241	6.8E-11	1.2E-17	2.8E-18	1.5E-17
NE	7,500	PU-238	4.8E-11	8.7E-18	2.0E-18	1.1E-17
NE	7,500	PU-239	4.9E-11	8.7E-18	2.0E-18	1.1E-17
NE	7,500	SR-90	3.3E-09	5.9E-16	1.4E-16	7.3E-16
NNE	7,500	AM-241	8.3E-11	1.5E-17	3.6E-18	1.9E-17
NNE	7,500	PU-238	5.9E-11	1.1E-17	2.5E-18	1.3E-17
NNE	7,500	PU-239	5.9E-11	1.1E-17	2.6E-18	1.3E-17
NNE	7,500	SR-90	4.0E-09	7.2E-16	1.7E-16	9.0E-16

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Version 2.00

Clean Air Act Assessment Package - 1988

C H I / Q T A B L E S

Non-Radon Individual Assessment
Jun 10, 2008 03:24 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2006

Comments:	CY 2006 WIPP ANNUAL NESHAP REPORT
	(7,500 meters)

Dataset Name:	2006WIPP191A 350
Dataset Date:	Jun 10, 2008 03:23 pm
Wind File:	C:\CAP88PC2\WNDFILES\2006VET.WND

Jun 10, 2008 03:24 pm

CHIQ
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GROUND-LEVEL CHI/Q VALUES FOR AM-241
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.806E-08
NNW	1.161E-07
NW	1.894E-07
WNW	1.691E-07
W	8.713E-08
WSW	6.329E-08
SW	6.455E-08
SSW	5.525E-08
S	4.002E-08
SSE	3.478E-08
SE	3.441E-08
ESE	3.305E-08
E	3.592E-08
ENE	3.871E-08
NE	3.775E-08
NNE	4.617E-08

GROUND-LEVEL CHI/Q VALUES FOR PU-238
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.801E-08
NNW	1.161E-07
NW	1.894E-07
WNW	1.691E-07
W	8.713E-08
WSW	6.327E-08
SW	6.452E-08
SSW	5.522E-08
S	4.000E-08
SSE	3.477E-08
SE	3.439E-08
ESE	3.304E-08
E	3.592E-08
ENE	3.870E-08
NE	3.772E-08
NNE	4.612E-08

GROUND-LEVEL CHI/Q VALUES FOR PU-239
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.803E-08
NNW	1.161E-07
NW	1.894E-07
WNW	1.691E-07
W	8.712E-08
WSW	6.328E-08
SW	6.454E-08
SSW	5.523E-08
S	4.001E-08
SSE	3.477E-08
SE	3.440E-08
ESE	3.304E-08
E	3.592E-08
ENE	3.870E-08
NE	3.774E-08
NNE	4.614E-08

GROUND-LEVEL CHI/Q VALUES FOR SR-90
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.805E-08
NNW	1.161E-07
NW	1.894E-07
WNW	1.692E-07
W	8.715E-08
WSW	6.330E-08
SW	6.455E-08
SSW	5.525E-08
S	4.002E-08
SSE	3.478E-08
SE	3.440E-08
ESE	3.305E-08
E	3.593E-08
ENE	3.871E-08
NE	3.774E-08
NNE	4.615E-08

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Annual Periodic Confirmatory Measurement Compliance Report for the U.S. Department of Energy Waste Isolation Pilot Plant

For Calendar Year 2007

As required by
40 CFR Part 191, Subpart A
"Environmental Standards for Management and Storage"

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CY 2007 REPORT SUMMARY

This report satisfies the reporting requirements established by 40 CFR Part 191, Subpart A, "Environmental Management and Storage." Emission monitoring and compliance procedures for U.S. Department of Energy (DOE) facilities require the use of CAP88-PC (Clean Air Act Assessment Package-1988) or AIRDOS-PC computer models, or other approved procedures, to calculate effective dose equivalents (EDEs) to members of the public.

The CAP88-PC computer model is a set of computer programs, databases and associated utility programs for estimation of dose and risk from radionuclide emissions to air. CAP88-PC dose assessment computer model was used to estimate the dose(s) reported in this report. Copies of the output data from CAP88-PC are attached.

Year of Reporting Period: 2007

Compliance:

Calculations made using the above referenced code indicate that the EDE to the maximally exposed individual resulting from normal operations conducted at this facility is less than 1.52×10^{-4} millirem (mrem) per year whole body and 1.46×10^{-3} mrem per year to the critical organ at 350 meters NW from WIPP. At 7,500 meters NW from WIPP, the EDE to the maximally exposed individual resulting from normal operations conducted at this facility is less than 7.81×10^{-6} mrem per year whole body and 7.56×10^{-5} mrem per year to the critical organ. These values are in compliance with the standards of 40 CFR Part 191, Subpart A, which states that management and storage of transuranic radioactive wastes operated by the DOE to provide reasonable assurance that the combined annual dose equivalent to any member of the public in the general environment resulting from discharges of radioactive material and direct radiation not exceed 25 mrem to the whole-body and 75 mrem to any critical organ.

SUMMARY OF SOURCE TERM AND CALCULATED EFFECTIVE DOSE EQUIVALENTS

Table 1. Summary of Radionuclide Effluents from Underground Storage Areas

Station	Radionuclide	Activity Released (Ci/Yr)	Particle Size (μm)[1]	Class (D, W, Y)[2]
A	^{238}Pu	4.24×10^{-8}	1	W
A	$^{239/240}Pu$	4.62×10^{-8}	1	W
A	^{241}Am	3.91×10^{-8}	1	W
A	^{90}Sr	2.60×10^{-6}	1	Y
A	^{137}Cs	2.12×10^{-5}	1	D
A	$^{233/234}U$	1.06×10^{-7}	1	Y
A	^{238}U	6.94×10^{-8}	1	Y

[1]Default values from CAP88-PC

[2]Nuclide Class: These are the allowed lung clearance classes for inhaled particles. D=Day, W=Week, and Y=Year. The class field selected is chosen to yield worst case dose estimates.

B	^{238}Pu	$2.56x10^{-9}$	1	W
B	$^{239/240}Pu$	$1.37x10^{-9}$	1	W
B	^{241}Am	$1.73x10^{-9}$	1	W
B	^{90}Sr	$1.21x10^{-7}$	1	W
B	^{137}Cs	$1.18x10^{-6}$	1	D
B	$^{233/234}U$	$5.31x10^{-9}$	1	Y
B	^{238}U	$3.26x10^{-9}$	1	Y

Table 2. Summary of Radionuclide Effluents from WHB

Station	Radionuclide	Activity Released (Ci/Yr)	Particle Size (μm)[1]	Class (D, W, Y)[2]
C	^{238}Pu	$2.83x10^{-9}$	1	W
C	$^{239/240}Pu$	$2.83x10^{-9}$	1	W
C	^{241}Am	$3.69x10^{-9}$	1	W
C	^{90}Sr	$2.49x10^{-7}$	1	W
C	^{137}Cs	$1.58x10^{-6}$	1	D
C	$^{233/234}U$	$7.30x10^{-9}$	1	Y
C	^{238}U	$4.33x10^{-9}$	1	Y

FACILITY NAME AND LOCATION

Facility: Waste Isolation Pilot Plant
Facility Location: 34 Louis Whitlock Road
P.O. Box 2078
Carlsbad, New Mexico 88221

RADIOACTIVE MATERIALS USED

The waste managed at WIPP contains contact-handled (CH) and remote-handled (RH) transuranic (TRU) radionuclides. During 2007, the CH and RH TRU radionuclides with the highest potential to deliver a dose to an off-site receptor are ^{238}Pu, $^{239/240}Pu$, ^{241}Am, ^{90}Sr, ^{137}Cs, $^{233/234}U$ and ^{238}U. Operations at the WIPP facility do not involve handling any loose radioactive material. All waste containers are sealed at the waste-generating facilities and remain sealed during the disposal operation. Removable contamination on the exterior surfaces of containers is restricted to minimal levels in accordance with DOE/WIPP-02-3122, *Transuranic Waste Acceptance Criteria for the Waste Isolation Pilot Plant*, and does not present a significant source of radionuclides that would be subject to release in airborne effluents. During normal operating conditions, there is essentially no potential for airborne emissions of radionuclides contained in the CH and RH TRU waste managed at the WIPP facility.

Small activity radioactive materials (sealed sources and plated sources) are used at the WIPP facility to calibrate and verify the operation of various radiation detection instrumentation and for quality assurance checks for the method of analysis. Some consumable, radioactive standards are stored at the WIPP facility. These standards are used to make the laboratory control standards for isotopic analysis of samples. All are stored in a locked safe in a posted access controlled room. This source of radioactive material does not have the potential to result in measurable off-site dose consequences.

DESCRIPTION OF OPERATIONS

The WIPP facility is a TRU radioactive waste disposal facility owned by the DOE, and managed and operated by Washington TRU Solutions LLC (WTS) of Washington Group International, Inc. The principal operation of the WIPP facility involves the receipt of CH and RH TRU and TRU mixed waste and emplacement in the underground repository for disposal. Only waste that conforms with DOE/WIPP-02-3122 is accepted for placement in the WIPP facility. Administrative controls prohibit the waste containers from being opened once they are accepted at WIPP.

The first shipment of RH TRU radioactive waste at the WIPP occurred on January 23, 2007. The first RH waste emplacement occurred on January 28, 2007. The RH waste was transported to the WIPP site inside a shielded RH-72B shipping cask. This cask was certified and approved for use for WIPP by the Nuclear Regulatory Commission in 2000.

In the months leading up to the first RH shipment, WIPP successfully completed a number of operational reviews to demonstrate readiness to manage and dispose of RH TRU waste. A team of experts from the EPA, DOE, New Mexico Environment Department (NMED), and the Defense Nuclear Facility Safety Board participated in the reviews. In addition, before any waste generator site ships RH TRU waste to WIPP, the EPA and NMED must approve the site's procedures for characterization, the process for determining the physical, chemical, and radiological characteristics of the waste to ensure it is suitable and approved for disposal at WIPP.

EMISSION POINTS

The WIPP facility has three effluent monitoring stations. These are known as Stations A, B, and C. Immediately after passing by Station A, unfiltered air is exhausted from the repository. Prior to Station B, high-efficiency particulate air (HEPA) filters are first used to filter the exhaust from the repository. When in filtration mode, Stations A and B are mutually exclusive (i.e., when air is exhausted from one Station, none is exhausted from the other Station). Stations A and B sample the same air when operating in the maintenance bypass, reduced, or minimum mode. Station C is used to sample the exhaust from the WHB. Prior to sampling activities at Station C and then venting to the atmosphere, the collective air passes through HEPA filters.

EFFLUENT CONTROLS

Continuous Air monitors (CAMs) are maintained at strategic locations in the WHB and in the underground repository to monitor the real-time levels of airborne radioactivity. Readouts from the underground air monitors are displayed in the Central Monitoring Room (CMR), a continuously occupied location from which WIPP facility operations are monitored. During normal conditions, the underground repository effluent does not pass through HEPA filtration units before being discharged to the environment through Station A. The WHB effluent, generated by surface waste handling operations, is subject to continuous HEPA filtration before

being discharged to the environment through Station C. Stations B and C HEPA filtration units are dioctyl phthalate (DOP) tested annually and exhibit a minimum efficiency of 99.97 percent.

The WHB ventilation system maintains a negative pressure differential between the outside environment and the waste handling environment. This provides a secondary confinement barrier against the release of radionuclides to the environment, where the waste containers themselves are considered the primary barrier. A negative pressure differential ensures that any leaks in the WHB structure will result in an in-leakage of outside air, which precludes the release of airborne contamination inside the WHB to the environment. WIPP's primary mitigation for failure of a waste container is HEPA filtration for the surface and underground facility.

The underground ventilation system is composed of four separate ventilation circuits. A dedicated ventilation circuit (or air flow pathway) provides air to the disposal panels inhibiting the spread of contamination in the unlikely event radioactive material becomes airborne. Separation of the air flows is maintained by the use of a series of ventilation bulkheads until all air flows are recombined at the exhaust shaft. A pressure differential (separating low and high pressures) is maintained between the ventilation circuits to ensure that air will flow from the non-radiation areas (locations where radioactive waste is prohibited, and the least contamination potential) to the radioactive materials areas (locations immediately next to the waste that have the highest contamination potential).

The WIPP facility uses skid-mounted fixed air samplers (FASs) at each effluent monitoring station (Stations A, B, and C) to collect representative samples of airborne particulates. Each FAS has two independent vacuum pumps; one vacuum pump supplies the vacuum and the other functions as a backup. In the event of an external power failure, an uninterruptible power supply provides sufficient power to all FAS units for approximately 30 minutes. Diesel generators are available to supply electrical power should the electrical outage last longer than 30 minutes.

Approved and controlled operating procedures are used at the WIPP facility to ensure uniform methods are used to collect, package, and transport FAS filter samples. The use of such procedures provides a means for demonstrating quality assurance of air emission data. Station A FAS filter samples are collected as needed each working shift in order to assure a representative sample. Station B FAS filter samples are collected weekly and at the end of each underground effluent filtration event. Station C FAS filter samples are collected weekly.

Based on the WIPP Transuranic Inventory, the 2007 Annual Periodic Confirmatory Measurement Compliance Report has included additional radionuclides, specific to both CH TRU and RH TRU waste emplacement at the WIPP. The list of analytes for the WIPP Effluent Monitoring Program contains the results on for ^{238}Pu, $^{239/240}$Pu[3], ^{241}Am, ^{90}Sr, ^{137}Cs, $^{233/234}$U[4], and ^{238}U. The radionuclide, ^{242}Pu is used as a tracer in the WIPP Laboratories. These results are being obtained from all three effluent air monitoring stations (Stations A, B, and C).

[3]The main alpha peaks for ^{239}Pu and ^{240}Pu differ by less than 0.02 MeV. Spectral resolution of these peaks is, therefore, insufficient to discriminate individual isotopic contributions. Therefore, these two radionuclides are reported as $^{239/240}$Pu.

[4]The ^{233}U and ^{234}U spectral peaks are separated by less than 0.05 MeV. Resolution of these peaks is insufficient to discriminate the individual isotopic contributions. Results are reported as $^{233/234}$U.

DISTANCES TO NEAREST RECEPTORS FROM RELEASE POINTS

The WIPP facility is located in a low population density area that has less than 30 permanent residents living within a 10-mile radius (DOE/WIPP 95-2065). The area surrounding the WIPP facility is used primarily for livestock grazing and development of potash, oil, and gas resources. All land within the WIPP site boundary up to the "Exclusive Use Area" is leased for livestock grazing, which is the only significant agricultural activity in the vicinity of the WIPP facility. Development of the natural resources results in a transient (nonpermanent) population consisting primarily of workers at three active potash mines and numerous oil and gas wells located within 10 miles of the WIPP facility.

In compliance with 40 CFR Part 191, Subpart A, the location of the maximally exposed individual is the location where an actual individual lives or works who receives the maximum annual radiation dose from the source. *The Guidance For the Implementation of EPA's Standards for Management and Storage of Transuranic Waste (40 CFR Part 191, Subpart A) at the Waste Isolation Pilot Plant (EPA 402-R-97-001)*, states, "The U.S. Environmental Protection Agency expects the DOE to examine radiation doses to individuals at any off-site point where there is a residence, school, business, or office. At the WIPP, consideration of business should include activities such as grazing, mining, or oil drilling in the vicinity of the site." Based on the above referenced EPA guidance document and WIPP's meteorological condition (i.e., the prevailing wind direction), the receptors selected are individuals at the WIPP fence line located 350 and 7,500 meters in the NW sector from the WIPP. These receptors have been selected as the location for the maximally exposed individual. In calendar year 2007, the complete set of dose and risk factors used in CAP88-PC to calculate the EDE is less than 1.52×10^{-4} millirem (mrem) per year whole body and 1.46×10^{-3} mrem per year to the critical organ at 350 meters NW from the WIPP. At 7,500 meters NW from the WIPP, the EDE to the maximally exposed individual resulting from normal operations conducted at this facility is less than 7.81×10^{-6} mrem per year whole body and 7.56×10^{-5} mrem per year to the critical organ.

The Guidance For the Implementation of EPA's Standards for Management and Storage of Transuranic Waste (40, CFR Part 191, Subpart A) at the Waste Isolation Pilot Plant (EPA 402-R-97-001), further states, "In implementing Subpart A at the WIPP, EPA expects the DOE to analyze potential exposure pathways and then examine demographic information and conduct field investigations to identify the locations of actual individuals who could be exposed via those pathways. As a conservative simplifying assumption, the DOE could conduct separate analyses of potential doses received from each exposure pathway, then assume that a member of the public resides at the single geographic point on the surface where the maximum dose would be received. This dose can be calculated by summing the dose from all pathways to calculate the maximum dose to a member of the public at the single geographic point." Based on the above referenced EPA guidance document, demographic information, and WIPP's meteorological condition (i.e., the prevailing wind direction), the receptor selected is an individual at the Smith Ranch located 7,500 meters in the WNW sector. This receptor has been selected as the location for the maximally exposed individual. The complete set of dose and risk factors used in CAP88-PC to calculate the EDE of less than 7.81×10^{-06} millirem per year to the maximally exposed individual at the Smith Ranch.

INPUT DATA FOR CAP88-PC DOSE ASSESSMENT COMPUTER MODEL

Meteorological Data File: 2007VET.wnd (Five-year average, CY 2003-2007)

Population Data File: WIPP2003.POP (Population data for WIPP region)

Annual precipitation: 33.9 cm/yr (Five-year average, 2003-2007)

Annual ambient temperature: 17.4°C (Five-year average, 2003-2007)

Lid height: 1,000 m

Agricultural Scenario: Local

Table 3. Characteristics of WIPP's Emission Points

Characteristics	Station A	Station B	Station C
Effective Station Height (m)	7.7	6.7	20.0
Effective Station Diameter (m)	5.2	1.8	2.6
Station Area (m^2)	21.2	2.6	6.8
Flow Rate (ft^3/min)	4.25×10^5	6.0×10^4	4.7×10^4
Flow Rate (m^3/min)	1.2×10^4	1699	1331
Exit Velocity (m/sec)	9.4	10.8	3.3
Effective Exit Velocity (m/sec)	6.7	NA	NA
Orientation	45° angle	vertical	vertical
Shape	rectangle	round	square
HEPA filtered	no	yes	yes

DESCRIPTION OF CONSTRUCTION AND MODIFICATIONS COMPLETED DURING REPORTING PERIOD

During CY 2007, at the beginning of the Waste Handling shift on October 23, 2007 (approximately 07:00 AM), an evolution occurred that damaged one of the tornado rated doors that provides forklift access into the WHB CH Bay. WIPP is designed to maintain a negative pressure, with respect to outside atmospheric pressure, in the WHB CH Bay while handling and storing waste outside of road casks.

WTS reviewed the record of the annunciations reported to the CMR through the Central Monitoring System (CMS) from the time of the damage until the new door was in place. The CH Bay space pressure exceeded the annunciation set point (-0.040 inches of water gauge with respect to atmospheric pressure) only one time during the period. That was while that maintenance activities were in progress to bring the replacement door into the CH Bay. During the door replacement maintenance evolution there was not any waste in the CH Bay except for the waste that was within the closed TRUPACT-IIs that were being stored in the TRUDOCK positions.

The portion of the WHB used for RH waste operational activity is served by a separate ventilation system from the CH portion of the WHB. Pressurization control and confinement ventilation for RH is, therefore, separated and isolated from the CH. The evolution with the CH tornado replacement door did not have discernable impact on the RH pressurization and confinement ventilation.

In addition, during the above event, there were no CAM alarms for cause in the CH Bay, and the October 2007 isotopic composite results indicated that the radionuclide of concerns were considered not detected above the reported Minimum Detectable Concentration and 2-sigma counting uncertainty.

OATH AND SIGNATURE

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment (see 18 U.S.C. §1001).

Signed: _____

Title: Manager, Carlsbad Field Office, U.S. Department of Energy

Date: _____

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C A P 8 8 - P C

Version 2.00

Clean Air Act Assessment Package - 1988

S Y N O P S I S R E P O R T

Non-Radon Individual Assessment

Jun 5, 2008 03:30 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Effective Dose Equivalent
(mrem/year)

1.52E-04

At This Location:	350 Meters Northwest

Dataset Name:	2007 191Subpart A
Dataset Date:	Jun 5, 2008 03:30 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

MAXIMALLY EXPOSED INDIVIDUAL

Location of the Individual: 350 Meters Northwest
Lifetime Fatal Cancer Risk: 2.01E-09

ORGAN DOSE EQUIVALENT SUMMARY

Organ	Dose Equivalent (mrem/y)
GONADS	5.34E-05
BREAST	4.20E-05
R MAR	2.04E-04
LUNGS	2.66E-04
THYROID	4.43E-05
ENDOST	1.46E-03
RMNDR	1.03E-04
EFFEC	1.52E-04

RADIONUCLIDE EMISSIONS DURING THE YEAR 2007

Nuclide	Class	Size	Source #1 Ci/y	Source #2 Ci/y	Source #3 Ci/y	TOTAL Ci/y
AM-241	W	1.00	3.9E-08	1.7E-09	3.7E-09	4.5E-08
PU-238	W	1.00	4.2E-08	2.6E-09	2.8E-09	4.8E-08
PU-239	W	1.00	4.6E-08	1.4E-09	2.8E-09	5.0E-08
SR-90	Y	1.00	2.6E-06	1.2E-07	2.5E-07	3.0E-06
CS-137	D	1.00	2.1E-05	1.2E-06	1.6E-06	2.4E-05
U-233	Y	1.00	1.1E-07	5.3E-09	7.3E-09	1.2E-07
U-238	Y	1.00	6.9E-08	3.3E-09	4.3E-09	7.7E-08

SITE INFORMATION

Temperature:	18 degrees C
Precipitation:	34 cm/y
Mixing Height:	1,000 m

SOURCE INFORMATION

Source Number:	1	2	3
Stack Height (m):	8.	7.	20.
Diameter (m):	5.	2.	3.
Plume Rise Momentum (m/s): (Exit Velocity)	7.	11.	3.

AGRICULTURAL DATA

	Vegetable	Milk	Meat
Fraction Home Produced:	1.000	1.000	1.000
Fraction From Assessment Area:	0.000	0.000	0.000
Fraction Imported:	0.000	0.000	0.000

Food Arrays were not generated for this run.
Default Values used.

DISTANCES (M) USED FOR MAXIMUM INDIVIDUAL ASSESSMENT

350

C A P 8 8 - P C

Version 2.00

Clean Air Act Assessment Package - 1988

G E N E R A L D A T A
Non-Radon Individual Assessment
Jun 5, 2008 03:30 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007 191Subpart A
Dataset Date:	Jun 5, 2008 03:30 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

Nuclide	Clearance Class	Particle Size (microns)	Scavenging Coefficient (per second)	Dry Deposition Velocity (m/s)
AM-241	W	1.0	3.39E-06	1.80E-03
PU-238	W	1.0	3.39E-06	1.80E-03
PU-239	W	1.0	3.39E-06	1.80E-03
SR-90	Y	1.0	3.39E-06	1.80E-03
CS-137	D	1.0	3.39E-06	1.80E-03
U-233	Y	1.0	3.39E-06	1.80E-03
U-238	Y	1.0	3.39E-06	1.80E-03

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

	DECAY CONSTANT (PER DAY)		TRANSFER COEFFICIENT		
Nuclide	Radioactive [1]	Surface	Water	Milk [2]	Meat [3]
AM-241	0.00E+00	5.48E-05	0.00E+00	4.00E-07	3.50E-06
PU-238	0.00E+00	5.48E-05	0.00E+00	1.00E-07	5.00E-07
PU-239	0.00E+00	5.48E-05	0.00E+00	1.00E-07	5.00E-07
SR-90	0.00E+00	5.48E-05	0.00E+00	1.50E-03	3.00E-04
CS-137	0.00E+00	5.48E-05	0.00E+00	7.00E-03	2.00E-02
U-233	0.00E+00	5.48E-05	0.00E+00	6.00E-04	2.00E-04
U-238	0.00E+00	5.48E-05	0.00E+00	6.00E-04	2.00E-04

FOOTNOTES:
(1) Effective radioactive decay constant in plume; set to zero if less than 1.0E-2

(2) Fraction of animal's daily intake of nuclide which appears in each L of milk (days/L)

(3) Fraction of animal's daily intake of nuclide which appears in each kg of meat (days/kg)

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

	CONCENTRATION UPTAKE FACTOR		GI UPTAKE FRACTION	
Nuclide	Forage [1]	Edible [2]	Inhalation	Ingestion
AM-241	5.50E-03	1.07E-04	1.00E-03	1.00E-03
PU-238	4.50E-04	1.93E-05	1.00E-03	1.00E-03
PU-239	4.50E-04	1.93E-05	1.00E-04	1.00E-03
SR-90	2.50E+00	1.07E-01	3.00E-01	3.00E-01
CS-137	8.00E-02	1.28E-02	9.50E-01	9.50E-01
U-233	8.50E-03	1.71E-03	2.00E-03	2.00E-01
U-238	8.50E-03	1.71E-03	2.00E-03	2.00E-01

FOOTNOTES: (1) Concentration factor for uptake of nuclide from soil for pasture and forage (in pCi/kg dry weight per pCi/kg dry soil)

(2) Concentration factor for uptake of nuclide from soil by edible parts of crops (in pCi/kg wet weight per pCi/kg dry soil)

VALUES FOR RADIONUCLIDE-INDEPENDENT PARAMETERS

HUMAN INHALATION RATE	
Cubic centimeters/hr	9.17E+05
SOIL PARAMETERS	
Effective surface density (kg/sq m, dry weight) (Assumes 15 cm plow layer)	2.15E+02
BUILDUP TIMES	
For activity in soil (years)	1.00E+02
For radionuclides deposited on ground/water (days)	3.65E+04
DELAY TIMES	
Ingestion of pasture grass by animals (hr)	0.00E+00
Ingestion of stored feed by animals (hr)	2.16E+03
Ingestion of leafy vegetables by man (hr)	3.36E+02
Ingestion of produce by man (hr)	3.36E+02
Transport time from animal feed-milk-man (day)	2.00E+00
Time from slaughter to consumption (day)	2.00E+01
WEATHERING	
Removal rate constant for physical loss (per hr)	2.90E-03
CROP EXPOSURE DURATION	
Pasture grass (hr)	7.20E+02
Crops/leafy vegetables (hr)	1.44E+03
AGRICULTURAL PRODUCTIVITY	
Grass-cow-milk-man pathway (kg/sq m)	2.80E-01
Produce/leafy veg for human consumption (kg/sq m)	7.16E-01
FALLOUT INTERCEPTION FRACTIONS	
Vegetables	2.00E-01
Pasture	5.70E-01
GRAZING PARAMETERS	
Fraction of year animals graze on pasture	4.00E-01
Fraction of daily feed that is pasture grass when animal grazes on pasture	4.30E-01

VALUES FOR RADIONUCLIDE-INDEPENDENT PARAMETERS

ANIMAL FEED CONSUMPTION FACTORS	
Contaminated feed/forage (kg/day, dry weight)	1.56E+01
DAIRY PRODUCTIVITY	
Milk production of cow (L/day)	1.10E+01
MEAT ANIMAL SLAUGHTER PARAMETERS	
Muscle mass of animal at slaughter (kg)	2.00E+02
Fraction of herd slaughtered (per day)	3.81E-03
DECONTAMINATION	
Fraction of radioactivity retained after washing for leafy vegetables and produce	5.00E-01
FRACTIONS GROWN IN GARDEN OF INTEREST	
Produce ingested	1.00E+00
Leafy vegetables ingested	1.00E+00
INGESTION RATIOS:	
IMMEDIATE SURROUNDING AREA/TOTAL WITHIN AREA	
Vegetables	1.00E+00
Meat	1.00E+00
Milk	1.00E+00
MINIMUM INGESTION FRACTIONS FROM OUTSIDE AREA	
(Minimum fractions of food types from outside area listed below are actual fixed values.)	
Vegetables	0.00E+00
Meat	0.00E+00
Milk	0.00E+00
HUMAN FOOD UTILIZATION FACTORS	
Produce ingestion (kg/y)	1.76E+02
Milk ingestion (L/y)	1.12E+02
Meat ingestion (kg/y)	8.50E+01
Leafy vegetable ingestion (kg/y)	1.80E+01
SWIMMING PARAMETERS	
Fraction of time spent swimming	0.00E+00
Dilution factor for water (cm)	1.00E+00

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Version 2.00

Clean Air Act Assessment Package - 1988

D O S E A N D R I S K E Q U I V A L E N T S U M M A R I E S

Non-Radon Individual Assessment
Jun 5, 2008 03:30 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007 191Subpart A
Dataset Date:	Jun 5, 2008 03:30 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

ORGAN DOSE EQUIVALENT SUMMARY

Organ	Selected Individual (mrem/y)
GONADS	5.34E-05
BREAST	4.20E-05
R MAR	2.04E-04
LUNGS	2.66E-04
THYROID	4.43E-05
ENDOST	1.46E-03
RMNDR	1.03E-04
EFFEC	1.52E-04

PATHWAY EFFECTIVE DOSE EQUIVALENT SUMMARY

Pathway	Selected Individual (mrem/y)
INGESTION	5.69E-05
INHALATION	9.53E-05
AIR IMMERSION	4.90E-13
GROUND SURFACE	2.29E-08
INTERNAL	1.52E-04
EXTERNAL	2.29E-08
TOTAL	1.52E-04

NUCLIDE EFFECTIVE DOSE EQUIVALENT SUMMARY

Nuclide	Selected Individual (mrem/y)
AM-241	2.39E-05
PU-238	2.28E-05
PU-239	2.63E-05
SR-90	1.59E-05
CS-137	3.82E-05
U-233	1.60E-05
U-238	9.13E-06
TOTAL	1.52E-04

CANCER RISK SUMMARY

Cancer	Selected Individual Total Lifetime Fatal Cancer Risk
LEUKEMIA	3.80E-10
BONE	8.18E-11
THYROID	1.95E-11
BREAST	1.58E-10
LUNG	6.27E-10
STOMACH	9.81E-11
BOWEL	4.78E-11
LIVER	3.37E-10
PANCREAS	9.16E-11
URINARY	5.89E-11
OTHER	1.12E-10
TOTAL	2.01E-09

PATHWAY RISK SUMMARY

Pathway	Selected Individual Total Lifetime Fatal Cancer Risk
INGESTION	1.23E-09
INHALATION	7.85E-10
AIR IMMERSION	1.02E-17
GROUND SURFACE	4.78E-13
INTERNAL	2.01E-09
EXTERNAL	4.78E-13
TOTAL	2.01E-09

NUCLIDE RISK SUMMARY

Nuclide	Selected Individual Total Lifetime Fatal Cancer Risk
AM-241	1.22E-10
PU-238	1.21E-10
PU-239	1.32E-10
SR-90	3.17E-10
CS-137	9.99E-10
U-233	2.03E-10
U-238	1.17E-10
TOTAL	2.01E-09

INDIVIDUAL EFFECTIVE DOSE EQUIVALENT RATE (mrem/y)
(All Radionuclides and Pathways)

Direction	Distance (meters) 350
N	7.1E-05
NNW	1.1E-04
NW	1.5E-04
WNW	9.0E-05
W	7.2E-05
WSW	5.7E-05
SW	4.9E-05
SSW	4.1E-05
S	3.8E-05
SSE	3.9E-05
SE	3.4E-05
ESE	4.0E-05
E	7.0E-05
ENE	6.5E-05
NE	4.8E-05
NNE	5.5E-05

INDIVIDUAL LIFETIME RISK (deaths)
(All Radionuclides and Pathways)

Direction	Distance (meters) 350
N	9.4E-10
NNW	1.4E-09
NW	2.0E-09
WNW	1.2E-09
W	9.5E-10
WSW	7.5E-10
SW	6.5E-10
SSW	5.4E-10
S	5.1E-10
SSE	5.1E-10
SE	4.5E-10
ESE	5.3E-10
E	9.1E-10
ENE	8.6E-10
NE	6.3E-10
NNE	7.3E-10

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Version 2.00

Clean Air Act Assessment Package - 1988

D O S E A N D R I S K C O N V E R S I O N F A C T O R S

Non-Radon Individual Assessment
Jun 5, 2008 03:30 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007 191Subpart A
Dataset Date:	Jun 5, 2008 03:30 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

DOSE AND RISK FACTOR UNITS

The units for each type of dose rate conversion factor are shown below, by pathway:

Pathway	Units
Ingestion	Millirem/picoCurie
Inhalation	Millirem/picoCurie
Immersion	Millirem-cubic cm/microCurie-year
Surface	Millirem-square cm/microCurie-year

Risks for internal exposures (inhalation and ingestion) are the lifetime risk of premature death in a birth cohort of 100,000 people for a 1 picoCurie/year intake rate, where the average lifetime is 70.7565 years.

This is simplified to lifetime risk per 100,000 picoCuries.

The units for each type of risk conversion factor are shown below, by pathway:

Pathway	Units
Ingestion	Lifetime risk/100,000 picoCuries
Inhalation	Lifetime risk/100,000 picoCuries
Immersion	Lifetime risk-cubic cm/100,000 picoCurie-years
Surface	Lifetime risk-square cm/100,000 picoCurie-years

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* NUCLIDE AM-241 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	1.001E-03	1.212E-01	1.151E+08	3.541E+04
BREAST	9.709E-05	1.176E-02	1.469E+08	5.550E+04
R MAR	6.327E-03	7.663E-01	3.737E+07	1.077E+04
LUNGS	9.714E-05	8.047E-02	6.919E+07	2.009E+04
THYROID	9.703E-05	1.175E-02	1.099E+08	3.175E+04
ENDOST	7.801E-02	9.447E+00	1.273E+08	3.693E+04
RMNDR	3.508E-03	4.176E-01	6.778E+07	1.937E+04
EFFEC	4.430E-03	5.428E-01	9.104E+07	2.875E+04

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	9.208E-03	1.110E+00	3.452E+09	1.062E+06
OVARIES	9.232E-03	1.112E+00	1.521E+09	4.384E+05
AVERAGE	9.221E-03	1.111E+00	2.486E+09	7.504E+05

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	5.337E-04	6.457E-02	1.184E+01	3.410E-03
BONE	3.433E-04	4.152E-02	2.253E+00	6.535E-04
THYROID	1.062E-06	1.283E-04	4.998E+00	1.444E-03
BREAST	7.158E-06	8.639E-04	5.751E+01	2.174E-02
LUNG	9.643E-06	2.284E-02	3.429E+01	9.960E-03
STOMACH	6.586E-06	7.140E-04	1.852E+01	5.317E-03
BOWEL	1.094E-05	3.603E-04	8.526E+00	2.445E-03
LIVER	1.198E-03	1.448E-01	2.179E+01	6.239E-03
PANCREAS	4.480E-06	5.408E-04	9.503E+00	2.760E-03
URINARY	2.298E-06	2.773E-04	8.681E+00	2.479E-03
OTHER	5.479E-06	6.614E-04	1.162E+01	3.376E-03

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.197E-10	3.843E-08	6.464E+02	1.951E-01

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* NUCLIDE PU-238 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	8.603E-04	1.041E-01	4.218E+05	7.548E+02
BREAST	8.419E-05	1.020E-02	1.806E+06	4.070E+03
R MAR	5.485E-03	6.641E-01	5.291E+04	4.514E+01
LUNGS	8.419E-05	7.893E-02	1.177E+05	1.225E+02
THYROID	8.419E-05	1.020E-02	1.709E+05	1.510E+02
ENDOST	6.763E-02	8.189E+00	2.090E+05	2.050E+02
RMNDR	3.085E-03	3.666E-01	8.732E+04	7.659E+01
EFFEC	3.853E-03	4.726E-01	4.344E+05	8.530E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	8.657E-03	1.043E+00	1.265E+07	2.264E+04
OVARIES	8.673E-03	1.045E+00	2.331E+06	2.087E+03
AVERAGE	8.665E-03	1.044E+00	7.492E+06	1.237E+04

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	4.695E-04	5.676E-02	1.676E-02	1.430E-05
BONE	3.046E-04	3.681E-02	3.700E-03	3.628E-06
THYROID	9.438E-07	1.140E-04	7.775E-03	6.866E-06
BREAST	6.493E-06	7.839E-04	7.072E-01	1.594E-03
LUNG	8.684E-06	2.272E-02	5.833E-02	6.072E-05
STOMACH	5.991E-06	6.480E-04	2.550E-02	1.840E-05
BOWEL	1.016E-05	3.272E-04	1.083E-02	6.451E-06
LIVER	1.099E-03	1.327E-01	2.503E-02	9.235E-06
PANCREAS	4.054E-06	4.895E-04	1.656E-02	1.864E-05
URINARY	2.080E-06	2.511E-04	1.007E-02	3.352E-06
OTHER	4.959E-06	5.987E-04	2.026E-02	2.280E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	2.992E-10	3.604E-08	1.948E+00	3.216E-03

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* NUCLIDE PU-239 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	9.741E-04	1.180E-01	4.329E+05	3.463E+02
BREAST	9.453E-05	1.145E-02	9.990E+05	1.617E+03
R MAR	6.166E-03	7.471E-01	1.950E+05	5.587E+01
LUNGS	9.453E-05	7.609E-02	2.420E+05	8.954E+01
THYROID	9.453E-05	1.145E-02	3.385E+05	1.165E+02
ENDOST	7.593E-02	9.199E+00	3.996E+05	1.473E+02
RMNDR	3.399E-03	4.054E-01	2.250E+05	6.734E+01
EFFEC	4.310E-03	5.278E-01	4.002E+05	3.747E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	8.801E-03	1.061E+00	1.299E+07	1.039E+04
OVARIES	8.777E-03	1.058E+00	5.506E+06	1.798E+03
AVERAGE	8.789E-03	1.059E+00	9.246E+06	6.094E+03

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	5.183E-04	6.271E-02	6.176E-02	1.770E-05
BONE	3.323E-04	4.019E-02	7.072E-03	2.606E-06
THYROID	1.027E-06	1.242E-04	1.540E-02	5.301E-06
BREAST	6.868E-06	8.298E-04	3.913E-01	6.333E-04
LUNG	9.263E-06	2.149E-02	1.200E-01	4.439E-05
STOMACH	6.254E-06	6.858E-04	6.736E-02	1.961E-05
BOWEL	9.813E-06	3.457E-04	3.275E-02	8.719E-06
LIVER	1.148E-03	1.387E-01	7.186E-02	1.699E-05
PANCREAS	4.289E-06	5.181E-04	4.236E-02	1.502E-05
URINARY	2.200E-06	2.658E-04	2.614E-02	6.081E-06
OTHER	5.246E-06	6.337E-04	5.181E-02	1.838E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.034E-10	3.656E-08	2.404E+00	1.584E-03

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* NUCLIDE SR-90 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	5.329E-06	9.758E-07	0.000E+00	0.000E+00
BREAST	5.329E-06	9.758E-07	0.000E+00	0.000E+00
R MAR	6.501E-04	1.109E-04	0.000E+00	0.000E+00
LUNGS	5.329E-06	9.220E-03	0.000E+00	0.000E+00
THYROID	5.329E-06	9.757E-07	0.000E+00	0.000E+00
ENDOST	1.438E-03	2.425E-04	0.000E+00	0.000E+00
RMNDR	2.118E-05	2.784E-04	0.000E+00	0.000E+00
EFFEC	1.304E-04	1.211E-03	0.000E+00	0.000E+00

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	1.512E-04	2.379E-05	0.000E+00	0.000E+00
OVARIES	1.512E-04	2.379E-05	0.000E+00	0.000E+00
AVERAGE	1.512E-04	2.379E-05	0.000E+00	0.000E+00

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.819E-04	2.891E-05	0.000E+00	0.000E+00
BONE	2.042E-05	3.197E-06	0.000E+00	0.000E+00
THYROID	2.352E-07	3.935E-08	0.000E+00	0.000E+00
BREAST	1.996E-06	3.193E-07	0.000E+00	0.000E+00
LUNG	2.533E-06	3.725E-03	0.000E+00	0.000E+00
STOMACH	1.117E-06	9.050E-06	0.000E+00	0.000E+00
BOWEL	5.940E-06	8.003E-05	0.000E+00	0.000E+00
LIVER	1.919E-06	4.889E-07	0.000E+00	0.000E+00
PANCREAS	1.246E-06	1.994E-07	0.000E+00	0.000E+00
URINARY	6.392E-07	1.023E-07	0.000E+00	0.000E+00
OTHER1.524E-06	2.438E-07	0.000E+00	0.000E+00	

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.931E-11	6.185E-12	0.000E+00	0.000E+00

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* NUCLIDE CS-137 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	4.404E-05	2.925E-05	0.000E+00	0.000E+00
BREAST	4.799E-05	3.190E-05	0.000E+00	0.000E+00
R MAR	4.365E-05	2.901E-05	0.000E+00	0.000E+00
LUNGS	4.438E-05	3.262E-05	0.000E+00	0.000E+00
THYROID	5.080E-05	3.378E-05	0.000E+00	0.000E+00
ENDOST	3.052E-05	2.029E-05	0.000E+00	0.000E+00
RMNDR	4.950E-05	3.291E-05	0.000E+00	0.000E+00
EFFEC	4.606E-05	3.099E-05	0.000E+00	0.000E+00

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	1.302E-03	8.650E-04	0.000E+00	0.000E+00
OVARIES	1.290E-03	8.550E-04	0.000E+00	0.000E+00
AVERAGE	1.296E-03	8.600E-04	0.000E+00	0.000E+00

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.378E-05	9.158E-06	0.000E+00	0.000E+00
BONE	5.381E-07	3.578E-07	0.000E+00	0.000E+00
THYROID	2.301E-06	1.530E-06	0.000E+00	0.000E+00
BREAST	1.868E-05	1.242E-05	0.000E+00	0.000E+00
LUNG	2.187E-05	1.674E-05	0.000E+00	0.000E+00
STOMACH	1.153E-05	7.465E-06	0.000E+00	0.000E+00
BOWEL	4.723E-06	3.017E-06	0.000E+00	0.000E+00
LIVER	1.667E-05	1.109E-05	0.000E+00	0.000E+00
PANCREAS	1.079E-05	7.174E-06	0.000E+00	0.000E+00
URINARY	6.303E-06	4.188E-06	0.000E+00	0.000E+00
OTHER	1.320E-05	8.775E-06	0.000E+00	0.000E+00

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.370E-10	2.236E-10	0.000E+00	0.000E+00

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* NUCLIDE U-233 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	3.895E-05	9.969E-06	1.328E+06	4.884E+02
BREAST	3.895E-05	1.008E-05	1.935E+06	1.591E+03
R MAR	1.037E-03	2.592E-04	7.437E+05	1.769E+02
LUNGS	3.895E-05	1.112E+00	8.880E+05	2.264E+02
THYROID	3.895E-05	9.983E-06	1.254E+06	3.104E+02
ENDOST	1.643E-02	4.104E-03	1.469E+06	3.737E+02
RMNDR	1.413E-03	3.809E-04	8.614E+05	2.020E+02
EFFEC	1.063E-03	1.337E-01	1.158E+06	4.903E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	1.070E-03	2.304E-04	3.985E+07	1.465E+04
OVARIES	1.070E-03	2.306E-04	2.065E+07	5.050E+03
AVERAGE	1.070E-03	2.305E-04	3.025E+07	9.851E+03

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.009E-04	2.334E-05	2.356E-01	5.602E-05
BONE	8.592E-05	1.966E-05	2.600E-02	6.614E-06
THYROID	6.739E-07	1.568E-07	5.705E-02	1.412E-05
BREAST	5.670E-06	1.282E-06	7.580E-01	6.232E-04
LUNG	7.209E-06	1.782E-01	4.402E-01	1.123E-04
STOMACH	5.224E-06	1.359E-06	2.550E-01	6.075E-05
BOWEL	7.548E-06	4.270E-06	1.253E-01	2.929E-05
LIVER	5.074E-06	1.143E-06	2.776E-01	6.330E-05
PANCREAS	3.540E-06	7.915E-07	1.575E-01	3.955E-05
URINARY	3.083E-04	6.783E-05	1.012E-01	2.298E-05
OTHER	4.330E-06	9.680E-07	1.926E-01	4.837E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.698E-11	7.982E-12	7.865E+00	2.561E-03

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* NUCLIDE U-238 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	3.464E-05	9.642E-06	5.365E+05	5.550E+02
BREAST	3.467E-05	1.122E-05	1.550E+06	2.967E+03
R MAR	1.087E-03	2.875E-04	1.413E+05	5.550E+01
LUNGS	3.464E-05	9.773E-01	2.505E+05	1.214E+02
THYROID	3.461E-05	1.045E-05	3.774E+05	1.572E+02
ENDOST	1.408E-02	3.540E-03	4.514E+05	2.094E+02
RMNDR	1.248E-03	3.947E-04	2.247E+05	8.303E+01
EFFEC	9.465E-04	1.175E-01	5.060E+05	6.410E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	9.502E-04	2.139E-04	1.609E+07	1.665E+04
OVARIES	9.509E-04	2.196E-04	5.395E+06	2.287E+03
AVERAGE	9.506E-04	2.169E-04	1.074E+07	9.468E+03

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.364E-04	3.538E-05	4.477E-02	1.758E-05
BONE	7.601E-05	1.771E-05	7.989E-03	3.706E-06
THYROID	6.076E-07	1.892E-07	1.717E-02	7.153E-06
BREAST	5.123E-06	1.657E-06	6.072E-01	1.162E-03
LUNG	6.509E-06	1.577E-01	1.242E-01	6.017E-05
STOMACH	4.656E-06	3.089E-06	6.460E-02	2.346E-05
BOWEL	7.207E-06	2.055E-05	2.964E-02	9.812E-06
LIVER	3.860E-06	1.884E-06	7.238E-02	1.985E-05
PANCREAS	3.197E-06	1.139E-06	3.638E-02	1.846E-05
URINARY	2.760E-04	6.084E-05	2.748E-02	7.335E-06
OTHER	3.909E-06	1.393E-06	4.450E-02	2.258E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.504E-11	1.052E-11	2.792E+00	2.462E-03

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Version 2.00

Clean Air Act Assessment Package - 1988

C O N C E N T R A T I O N T A B L E S

Non-Radon Individual Assessment
Jun 5, 2008 03:30 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007 191Subpart A
Dataset Date:	Jun 5, 2008 03:30 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
N	350	AM-241	2.4E-09	4.3E-16	8.9E-17	5.2E-16
N	350	PU-238	2.6E-09	4.6E-16	9.6E-17	5.6E-16
N	350	PU-239	2.7E-09	4.8E-16	1.0E-16	5.8E-16
N	350	SR-90	1.6E-07	2.9E-14	6.0E-15	3.4E-14
N	350	CS-137	1.3E-06	2.3E-13	4.8E-14	2.8E-13
N	350	U-233	6.4E-09	1.1E-15	2.4E-16	1.4E-15
N	350	U-238	4.1E-09	7.4E-16	1.5E-16	9.0E-16
NNW	350	AM-241	3.6E-09	6.6E-16	1.2E-16	7.8E-16
NNW	350	PU-238	4.0E-09	7.2E-16	1.3E-16	8.5E-16
NNW	350	PU-239	4.1E-09	7.4E-16	1.4E-16	8.8E-16
NNW	350	SR-90	2.4E-07	4.4E-14	8.2E-15	5.2E-14
NNW	350	CS-137	2.0E-06	3.6E-13	6.6E-14	4.2E-13
NNW	350	U-233	9.8E-09	1.8E-15	3.3E-16	2.1E-15
NNW	350	U-238	6.4E-09	1.1E-15	2.1E-16	1.4E-15
NW	350	AM-241	5.1E-09	9.2E-16	1.7E-16	1.1E-15
NW	350	PU-238	5.6E-09	1.0E-15	1.9E-16	1.2E-15
NW	350	PU-239	5.8E-09	1.0E-15	2.0E-16	1.2E-15
NW	350	SR-90	3.4E-07	6.1E-14	1.1E-14	7.3E-14
NW	350	CS-137	2.8E-06	5.0E-13	9.3E-14	5.9E-13
NW	350	U-233	1.4E-08	2.5E-15	4.6E-16	2.9E-15
NW	350	U-238	8.9E-09	1.6E-15	3.0E-16	1.9E-15
WNW	350	AM-241	3.0E-09	5.3E-16	1.4E-16	6.7E-16
WNW	350	PU-238	3.3E-09	5.9E-16	1.5E-16	7.4E-16
WNW	350	PU-239	3.3E-09	6.0E-16	1.6E-16	7.6E-16
WNW	350	SR-90	2.0E-07	3.6E-14	9.3E-15	4.5E-14
WNW	350	CS-137	1.6E-06	2.9E-13	7.5E-14	3.7E-13
WNW	350	U-233	8.0E-09	1.4E-15	3.7E-16	1.8E-15
WNW	350	U-238	5.2E-09	9.3E-16	2.4E-16	1.2E-15
W	350	AM-241	2.4E-09	4.4E-16	8.2E-17	5.2E-16
W	350	PU-238	2.7E-09	4.8E-16	8.8E-17	5.7E-16
W	350	PU-239	2.7E-09	4.9E-16	9.3E-17	5.9E-16
W	350	SR-90	1.6E-07	2.9E-14	5.5E-15	3.5E-14
W	350	CS-137	1.3E-06	2.4E-13	4.4E-14	2.8E-13
W	350	U-233	6.5E-09	1.2E-15	2.2E-16	1.4E-15
W	350	U-238	4.2E-09	7.6E-16	1.4E-16	9.0E-16
WSW	350	AM-241	1.9E-09	3.5E-16	6.2E-17	4.1E-16
WSW	350	PU-238	2.1E-09	3.8E-16	6.6E-17	4.4E-16
WSW	350	PU-239	2.2E-09	3.9E-16	7.0E-17	4.6E-16
WSW	350	SR-90	1.3E-07	2.3E-14	4.1E-15	2.7E-14
WSW	350	CS-137	1.0E-06	1.9E-13	3.3E-14	2.2E-13

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
WSW	350	U-233	5.2E-09	9.3E-16	1.6E-16	1.1E-15
WSW	350	U-238	3.4E-09	6.0E-16	1.1E-16	7.1E-16
SW	350	AM-241	1.6E-09	3.0E-16	6.0E-17	3.6E-16
SW	350	PU-238	1.8E-09	3.2E-16	6.5E-17	3.9E-16
SW	350	PU-239	1.9E-09	3.3E-16	6.8E-17	4.0E-16
SW	350	SR-90	1.1E-07	2.0E-14	4.0E-15	2.4E-14
SW	350	CS-137	8.9E-07	1.6E-13	3.2E-14	1.9E-13
SW	350	U-233	4.4E-09	8.0E-16	1.6E-16	9.6E-16
SW	350	U-238	2.9E-09	5.2E-16	1.0E-16	6.2E-16
SSW	350	AM-241	1.4E-09	2.4E-16	5.4E-17	3.0E-16
SSW	350	PU-238	1.5E-09	2.7E-16	5.8E-17	3.2E-16
SSW	350	PU-239	1.5E-09	2.8E-16	6.1E-17	3.4E-16
SSW	350	SR-90	9.1E-08	1.6E-14	3.6E-15	2.0E-14
SSW	350	CS-137	7.4E-07	1.3E-13	2.9E-14	1.6E-13
SSW	350	U-233	3.6E-09	6.6E-16	1.4E-16	8.0E-16
SSW	350	U-238	2.4E-09	4.3E-16	9.3E-17	5.2E-16
S	350	AM-241	1.3E-09	2.3E-16	4.4E-17	2.7E-16
S	350	PU-238	1.4E-09	2.5E-16	4.7E-17	3.0E-16
S	350	PU-239	1.5E-09	2.6E-16	4.9E-17	3.1E-16
S	350	SR-90	8.6E-08	1.5E-14	2.9E-15	1.8E-14
S	350	CS-137	7.0E-07	1.3E-13	2.3E-14	1.5E-13
S	350	U-233	3.5E-09	6.2E-16	1.2E-16	7.4E-16
S	350	U-238	2.2E-09	4.0E-16	7.5E-17	4.8E-16
SSE	350	AM-241	1.3E-09	2.4E-16	4.1E-17	2.8E-16
SSE	350	PU-238	1.4E-09	2.6E-16	4.4E-17	3.0E-16
SSE	350	PU-239	1.5E-09	2.7E-16	4.7E-17	3.1E-16
SSE	350	SR-90	8.8E-08	1.6E-14	2.8E-15	1.9E-14
SSE	350	CS-137	7.2E-07	1.3E-13	2.2E-14	1.5E-13
SSE	350	U-233	3.5E-09	6.4E-16	1.1E-16	7.5E-16
SSE	350	U-238	2.3E-09	4.1E-16	7.1E-17	4.9E-16
SE	350	AM-241	1.1E-09	2.0E-16	4.3E-17	2.5E-16
SE	350	PU-238	1.2E-09	2.2E-16	4.6E-17	2.7E-16
SE	350	PU-239	1.3E-09	2.3E-16	4.9E-17	2.8E-16
SE	350	SR-90	7.6E-08	1.4E-14	2.9E-15	1.7E-14
SE	350	CS-137	6.2E-07	1.1E-13	2.3E-14	1.3E-13
SE	350	U-233	3.0E-09	5.5E-16	1.1E-16	6.6E-16
SE	350	U-238	2.0E-09	3.5E-16	7.5E-17	4.3E-16

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
ESE	350	AM-241	1.3E-09	2.4E-16	4.4E-17	2.9E-16
ESE	350	PU-238	1.5E-09	2.6E-16	4.7E-17	3.1E-16
ESE	350	PU-239	1.5E-09	2.7E-16	5.0E-17	3.2E-16
ESE	350	SR-90	9.0E-08	1.6E-14	2.9E-15	1.9E-14
ESE	350	CS-137	7.3E-07	1.3E-13	2.4E-14	1.6E-13
ESE	350	U-233	3.6E-09	6.5E-16	1.2E-16	7.7E-16
ESE	350	U-238	2.3E-09	4.2E-16	7.6E-17	5.0E-16
E	350	AM-241	2.4E-09	4.3E-16	5.2E-17	4.8E-16
E	350	PU-238	2.6E-09	4.7E-16	5.5E-17	5.2E-16
E	350	PU-239	2.7E-09	4.9E-16	5.8E-17	5.5E-16
E	350	SR-90	1.6E-07	2.9E-14	3.4E-15	3.2E-14
E	350	CS-137	1.3E-06	2.3E-13	2.8E-14	2.6E-13
E	350	U-233	6.4E-09	1.2E-15	1.4E-16	1.3E-15
E	350	U-238	4.2E-09	7.5E-16	8.9E-17	8.4E-16
ENE	350	AM-241	2.2E-09	4.0E-16	5.7E-17	4.6E-16
ENE	350	PU-238	2.4E-09	4.4E-16	6.1E-17	5.0E-16
ENE	350	PU-239	2.5E-09	4.5E-16	6.4E-17	5.2E-16
ENE	350	SR-90	1.5E-07	2.7E-14	3.8E-15	3.1E-14
ENE	350	CS-137	1.2E-06	2.2E-13	3.1E-14	2.5E-13
ENE	350	U-233	6.0E-09	1.1E-15	1.5E-16	1.2E-15
ENE	350	U-238	3.9E-09	7.0E-16	9.8E-17	8.0E-16
NE	350	AM-241	1.6E-09	2.9E-16	5.4E-17	3.4E-16
NE	350	PU-238	1.7E-09	3.1E-16	5.8E-17	3.7E-16
NE	350	PU-239	1.8E-09	3.3E-16	6.2E-17	3.9E-16
NE	350	SR-90	1.1E-07	1.9E-14	3.6E-15	2.3E-14
NE	350	CS-137	8.7E-07	1.6E-13	2.9E-14	1.9E-13
NE	350	U-233	4.3E-09	7.8E-16	1.4E-16	9.2E-16
NE	350	U-238	2.8E-09	5.0E-16	9.4E-17	6.0E-16
NNE	350	AM-241	1.8E-09	3.3E-16	6.8E-17	4.0E-16
NNE	350	PU-238	2.0E-09	3.6E-16	7.3E-17	4.3E-16
NNE	350	PU-239	2.1E-09	3.7E-16	7.7E-17	4.5E-16
NNE	350	SR-90	1.2E-07	2.2E-14	4.5E-15	2.7E-14
NNE	350	CS-137	1.0E-06	1.8E-13	3.6E-14	2.2E-13
NNE	350	U-233	4.9E-09	8.9E-16	1.8E-16	1.1E-15
NNE	350	U-238	3.2E-09	5.8E-16	1.2E-16	6.9E-16

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Version 2.00

Clean Air Act Assessment Package - 1988

W E A T H E R D A T A

Non-Radon Individual Assessment
Jun 5, 2008 03:30 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007 191Subpart A
Dataset Date:	Jun 5, 2008 03:30 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

Jun 5, 2008 03:30 pm WEATHER
Page 1

HARMONIC AVERAGE WIND SPEEDS (WIND TOWARDS)

Pasquill Stability Class

Dir	A	B	C	D	E	F	G	Wind Freq
N	4.319	3.411	2.997	2.506	2.212	1.824	0.000	0.071
NNW	4.579	3.712	3.252	3.350	3.350	2.192	0.000	0.112
NW	4.667	3.766	3.526	3.972	4.185	2.620	0.000	0.173
WNW	4.379	3.568	3.370	3.440	3.648	2.855	0.000	0.130
W	4.206	3.715	3.320	3.702	3.427	2.294	0.000	0.071
WSW	4.426	3.507	3.201	3.526	3.147	1.963	0.000	0.050
SW	4.525	3.264	2.880	3.481	2.888	2.026	0.000	0.046
SSW	4.498	3.463	2.984	2.908	2.456	2.032	0.000	0.040
S	4.805	3.111	2.580	2.678	2.609	2.020	0.000	0.033
SSE	4.482	3.097	2.567	2.206	2.701	1.939	0.000	0.031
SE	3.957	2.767	2.559	1.917	2.030	1.787	0.000	0.028
ESE	4.118	2.813	2.198	1.665	2.189	1.737	0.000	0.028
E	5.473	3.384	2.650	2.759	3.614	2.099	0.000	0.049
ENE	4.628	3.071	2.483	2.525	2.862	2.081	0.000	0.048
NE	4.130	2.860	2.522	2.073	2.156	1.841	0.000	0.040
NNE	4.025	3.064	2.486	2.069	1.928	1.658	0.000	0.049

ARITHMETIC AVERAGE WIND SPEEDS (WIND TOWARDS)

Pasquill Stability Class

Dir	A	B	C	D	E	F	G
N	4.888	4.037	3.767	3.721	3.273	2.634	0.000
NNW	5.178	4.454	4.275	4.847	4.571	3.037	0.000
NW	5.315	4.678	4.529	5.459	5.213	3.391	0.000
WNW	4.978	4.270	4.173	4.786	4.715	3.672	0.000
W	4.912	4.399	4.492	5.453	4.956	3.447	0.000
WSW	5.355	4.501	4.362	5.488	4.967	3.039	0.000
SW	5.329	4.280	4.100	5.365	4.932	2.923	0.000
SSW	5.392	4.235	3.949	4.668	4.148	2.974	0.000
S	5.663	4.032	3.687	4.787	4.169	3.040	0.000
SSE	5.564	4.067	3.484	4.219	4.324	3.076	0.000
SE	4.801	3.446	3.200	3.232	3.416	2.775	0.000
ESE	5.394	3.691	3.200	3.377	3.976	2.828	0.000
E	7.090	5.537	5.283	6.020	5.617	3.502	0.000
ENE	5.880	4.437	3.978	4.730	4.587	3.202	0.000
NE	5.157	3.735	3.553	3.444	3.400	2.740	0.000
NNE	4.689	3.665	3.297	3.272	3.020	2.427	0.000

FREQUENCIES OF STABILITY CLASSES (WIND TOWARDS)

Pasquill Stability Class

Dir	A	B	C	D	E	F	G
N	0.3476	0.0882	0.0736	0.1507	0.1206	0.2194	0.0000
NNW	0.2556	0.0581	0.0465	0.1566	0.2204	0.2629	0.0000
NW	0.1251	0.0320	0.0301	0.1520	0.3136	0.3472	0.0000
WNW	0.0786	0.0246	0.0262	0.1183	0.2394	0.5130	0.0000
W	0.0778	0.0324	0.0370	0.2182	0.2641	0.3705	0.0000
WSW	0.0982	0.0385	0.0431	0.2448	0.2496	0.3258	0.0000
SW	0.0936	0.0396	0.0431	0.2268	0.1936	0.4033	0.0000
SSW	0.1403	0.0502	0.0554	0.1957	0.1702	0.3883	0.0000
S	0.1793	0.0642	0.0612	0.2070	0.1627	0.3257	0.0000
SSE	0.2074	0.0751	0.0686	0.2029	0.1813	0.2646	0.0000
SE	0.1969	0.0908	0.0958	0.2104	0.1406	0.2656	0.0000
ESE	0.2166	0.1007	0.0975	0.1953	0.1636	0.2263	0.0000
E	0.3082	0.0886	0.0859	0.2162	0.1446	0.1565	0.0000
ENE	0.2964	0.1024	0.0912	0.1940	0.1400	0.1759	0.0000
NE	0.3127	0.1091	0.0912	0.1665	0.1223	0.1981	0.0000
NNE	0.3568	0.1049	0.0863	0.1657	0.0925	0.1937	0.0000
TOTAL	0.1889	0.0582	0.0541	0.1752	0.2085	0.3151	0.0000

ADDITIONAL WEATHER INFORMATION

Average Air Temperature:	17.4 degrees C
	290.56 K
Precipitation:	33.9 cm/y
Lid Height:	1,000 meters
Surface Roughness Length:	0.010 meters
Height of Wind Measurements:	10.0 meters
Average Wind Speed:	4.306 m/s
Vertical Temperature Gradients:	
STABILITY E	0.073 k/m
STABILITY F	0.109 k/m
STABILITY G	0.146 k/m

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Version 2.00

Clean Air Act Assessment Package - 1988

C H I / Q T A B L E S

Non-Radon Individual Assessment
Jun 5, 2008 03:30 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
	City: Carlsbad
	State: NM Zip: 88221
Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007
Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A
Dataset Name:	2007 191Subpart A
Dataset Date:	Jun 5, 2008 03:30 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

GROUND-LEVEL CHI/Q VALUES FOR AM-241
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.680E-06
NNW	2.583E-06
NW	3.616E-06
WNW	2.100E-06
W	1.714E-06
WSW	1.359E-06
SW	1.162E-06
SSW	9.600E-07
S	9.100E-07
SSE	9.340E-07
SE	8.032E-07
ESE	9.526E-07
E	1.697E-06
ENE	1.581E-06
NE	1.141E-06
NNE	1.309E-06

GROUND-LEVEL CHI/Q VALUES FOR PU-238
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.699E-06
NNW	2.625E-06
NW	3.691E-06
WNW	2.148E-06
W	1.749E-06
WSW	1.385E-06
SW	1.184E-06
SSW	9.765E-07
S	9.241E-07
SSE	9.481E-07
SE	8.136E-07
ESE	9.655E-07
E	1.719E-06
ENE	1.601E-06
NE	1.153E-06
NNE	1.321E-06

GROUND-LEVEL CHI/Q VALUES FOR PU-239
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.671E-06
NNW	2.581E-06
NW	3.622E-06
WNW	2.094E-06
W	1.716E-06
WSW	1.362E-06
SW	1.164E-06
SSW	9.580E-07
S	9.089E-07
SSE	9.318E-07
SE	7.958E-07
ESE	9.462E-07
E	1.703E-06
ENE	1.582E-06
NE	1.134E-06
NNE	1.300E-06

GROUND-LEVEL CHI/Q VALUES FOR SR-90CHI/Q TOWARD INDICATED DIRECTION
(SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.682E-06
NNW	2.585E-06
NW	3.619E-06
WNW	2.103E-06
W	1.716E-06
WSW	1.360E-06
SW	1.163E-06
SSW	9.611E-07
S	9.109E-07
SSE	9.350E-07
SE	8.044E-07
ESE	9.539E-07
E	1.697E-06
ENE	1.583E-06
NE	1.142E-06
NNE	1.310E-06

GROUND-LEVEL CHI/Q VALUES FOR CS-137
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.693E-06
NNW	2.612E-06
NW	3.669E-06
WNW	2.134E-06
W	1.739E-06
WSW	1.377E-06
SW	1.177E-06
SSW	9.717E-07
S	9.200E-07
SSE	9.440E-07
SE	8.106E-07
ESE	9.617E-07
E	1.713E-06
ENE	1.595E-06
NE	1.150E-06
NNE	1.318E-06

GROUND-LEVEL CHI/Q VALUES FOR U-233CHI/Q TOWARD INDICATED DIRECTION
(SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.689E-06
NNW	2.608E-06
NW	3.663E-06
WNW	2.128E-06
W	1.736E-06
WSW	1.375E-06
SW	1.176E-06
SSW	9.695E-07
S	9.183E-07
SSE	9.420E-07
SE	8.076E-07
ESE	9.588E-07
E	1.712E-06
ENE	1.593E-06
NE	1.147E-06
NNE	1.314E-06

GROUND-LEVEL CHI/Q VALUES FOR U-238CHI/Q TOWARD INDICATED DIRECTION
(SEC/CUBIC METER)

	Distance (meters)
Direction	350
N	1.687E-06
NNW	2.607E-06
NW	3.664E-06
WNW	2.127E-06
W	1.736E-06
WSW	1.376E-06
SW	1.176E-06
SSW	9.690E-07
S	9.180E-07
SSE	9.415E-07
SE	8.061E-07
ESE	9.574E-07
E	1.713E-06
ENE	1.593E-06
NE	1.145E-06
NNE	1.312E-06

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S Y N O P S I S R E P O R T

Non-Radon Individual Assessment
Jun 10, 2008 02:39 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Effective Dose Equivalent
(mrem/year)

7.81E-06

At This Location:	7,500 Meters Northwest

Dataset Name:	2007-191 A
Dataset Date:	Jun 10, 2008 02:38 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

MAXIMALLY EXPOSED INDIVIDUAL

Location of the Individual: 7,500 Meters Northwest
Lifetime Fatal Cancer Risk: 1.03E-10

ORGAN DOSE EQUIVALENT SUMMARY

Organ	Dose Equivalent (mrem/y)
GONADS	2.71E-06
BREAST	2.12E-06
R MAR	1.05E-05
LUNGS	1.37E-05
THYROID	2.23E-06
ENDOST	7.56E-05
RMNDR	5.26E-06
EFFEC	7.81E-06

RADIONUCLIDE EMISSIONS DURING THE YEAR 2007

Nuclide	Class	Size	Source #1 Ci/y	Source #2 Ci/y	Source #3 Ci/y	TOTAL Ci/y
AM-241	W	1.00	3.9E-08	1.7E-09	3.7E-09	4.5E-08
PU-238	W	1.00	4.2E-08	2.6E-09	2.8E-09	4.8E-08
PU-239	W	1.00	4.6E-08	1.4E-09	2.8E-09	5.0E-08
SR-90	Y	1.00	2.6E-06	1.2E-07	2.5E-07	3.0E-06
CS-137	D	1.00	2.1E-05	1.2E-06	1.6E-06	2.4E-05
U-233	Y	1.00	1.1E-07	5.3E-09	7.3E-09	1.2E-07
U-238	Y	1.00	6.9E-08	3.3E-09	4.3E-09	7.7E-08

SITE INFORMATION

Temperature:	18 degrees C
Precipitation:	34 cm/y
Mixing Height:	1,000 m

SOURCE INFORMATION

Source Number:	1	2	3
Stack Height (m):	8.	7.	20.
Diameter (m):	5.	2.	3.
Plume Rise Momentum (m/s): (Exit Velocity)	7.	11.	3.

AGRICULTURAL DATA

	Vegetable	Milk	Meat
Fraction Home Produced:	1.000	1.000	1.000
Fraction From Assessment Area:	0.000	0.000	0.000
Fraction Imported:	0.000	0.000	0.000

Food Arrays were not generated for this run.
Default Values used.

DISTANCES (M) USED FOR MAXIMUM INDIVIDUAL ASSESSMENT

7,500

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G E N E R A L D A T A

Non-Radon Individual Assessment
Jun 10, 2008 02:39 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007-191 A
Dataset Date:	Jun 10, 2008 02:38 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

Nuclide	Clearance Class	Particle Size (microns)	Scavenging Coefficient (per second)	Dry Deposition Velocity (m/s)
AM-241	W	1.0	3.39E-06	1.80E-03
PU-238	W	1.0	3.39E-06	1.80E-03
PU-239	W	1.0	3.39E-06	1.80E-03
SR-90	Y	1.0	3.39E-06	1.80E-03
CS-137	D	1.0	3.39E-06	1.80E-03
U-233	Y	1.0	3.39E-06	1.80E-03
U-238	Y	1.0	3.39E-06	1.80E-03

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

	DECAY CONSTANT (PER DAY)		TRANSFER COEFFICIENT		
Nuclide	Radioactive [1]	Surface	Water	Milk [2]	Meat [3]
AM-241	0.00E+00	5.48E-05	0.00E+00	4.00E-07	3.50E-06
PU-238	0.00E+00	5.48E-05	0.00E+00	1.00E-07	5.00E-07
PU-239	0.00E+00	5.48E-05	0.00E+00	1.00E-07	5.00E-07
SR-90	0.00E+00	5.48E-05	0.00E+00	1.50E-03	3.00E-04
CS-137	0.00E+00	5.48E-05	0.00E+00	7.00E-03	2.00E-02
U-233	0.00E+00	5.48E-05	0.00E+00	6.00E-04	2.00E-04
U-238	0.00E+00	5.48E-05	0.00E+00	6.00E-04	2.00E-04

FOOTNOTES:
(1) Effective radioactive decay constant in plume; set to zero if less than 1.0E-2

(2) Fraction of animal's daily intake of nuclide which appears in each L of milk (days/L)

(3) Fraction of animal's daily intake of nuclide which appears in each kg of meat (days/kg)

VALUES FOR RADIONUCLIDE-DEPENDENT PARAMETERS

	CONCENTRATION UPTAKE FACTOR		GI UPTAKE FRACTION	
Nuclide	Forage (1)	Edible (2)	Inhalation	Ingestion
AM-241	5.50E-03	1.07E-04	1.00E-03	1.00E-03
PU-238	4.50E-04	1.93E-05	1.00E-03	1.00E-03
PU-239	4.50E-04	1.93E-05	1.00E-04	1.00E-03
SR-90	2.50E+00	1.07E-01	3.00E-01	3.00E-01
CS-137	8.00E-02	1.28E-02	9.50E-01	9.50E-01
U-233	8.50E-03	1.71E-03	2.00E-03	2.00E-01
U-238	8.50E-03	1.71E-03	2.00E-03	2.00E-01

FOOTNOTES: (1) Concentration factor for uptake of nuclide from soil for pasture and forage (in pCi/kg dry weight per pCi/kg dry soil)

(2) Concentration factor for uptake of nuclide from soil by edible parts of crops (in pCi/kg wet weight per pCi/kg dry soil)

VALUES FOR RADIONUCLIDE-INDEPENDENT PARAMETERS

HUMAN INHALATION RATE	
Cubic centimeters/hr	9.17E+05
SOIL PARAMETERS	
Effective surface density (kg/sq m, dry weight)	
(Assumes 15 cm plow layer)	2.15E+02
BUILDUP TIMES	
For activity in soil (years)	1.00E+02
For radionuclides deposited on ground/water (days)	3.65E+04
DELAY TIMES	
Ingestion of pasture grass by animals (hr)	0.00E+00
Ingestion of stored feed by animals (hr)	2.16E+03
Ingestion of leafy vegetables by man (hr)	3.36E+02
Ingestion of produce by man (hr)	3.36E+02
Transport time from animal feed-milk-man (day)	2.00E+00
Time from slaughter to consumption (day)	2.00E+01
WEATHERING	
Removal rate constant for physical loss (per hr)	2.90E-03
CROP EXPOSURE DURATION	
Pasture grass (hr)	7.20E+02
Crops/leafy vegetables (hr)	1.44E+03
AGRICULTURAL PRODUCTIVITY	
Grass-cow-milk-man pathway (kg/sq m)	2.80E-01
Produce/leafy veg for human consumption (kg/sq m)	7.16E-01
FALLOUT INTERCEPTION FRACTIONS	
Vegetables	2.00E-01
Pasture	5.70E-01
GRAZING PARAMETERS	
Fraction of year animals graze on pasture	4.00E-01
Fraction of daily feed that is pasture grass when animal grazes on pasture	4.30E-01

VALUES FOR RADIONUCLIDE-INDEPENDENT PARAMETERS

ANIMAL FEED CONSUMPTION FACTORS	
Contaminated feed/forage (kg/day, dry weight)	1.56E+01
DAIRY PRODUCTIVITY	
Milk production of cow (L/day)	1.10E+01
MEAT ANIMAL SLAUGHTER PARAMETERS	
Muscle mass of animal at slaughter (kg)	2.00E+02
Fraction of herd slaughtered (per day)	3.81E-03
DECONTAMINATION	
Fraction of radioactivity retained after washing for leafy vegetables and produce	5.00E-01
FRACTIONS GROWN IN GARDEN OF INTEREST	
Produce ingested	1.00E+00
Leafy vegetables ingested	1.00E+00
INGESTION RATIOS:	
IMMEDIATE SURROUNDING AREA/TOTAL WITHIN AREA	
Vegetables	1.00E+00
Meat	1.00E+00
Milk	1.00E+00
MINIMUM INGESTION FRACTIONS FROM OUTSIDE AREA	
(Minimum fractions of food types from outside area listed below are actual fixed values.)	
Vegetables	0.00E+00
Meat	0.00E+00
Milk	0.00E+00
HUMAN FOOD UTILIZATION FACTORS	
Produce ingestion (kg/y)	1.76E+02
Milk ingestion (L/y)	1.12E+02
Meat ingestion (kg/y)	8.50E+01
Leafy vegetable ingestion (kg/y)	1.80E+01
SWIMMING PARAMETERS	
Fraction of time spent swimming	0.00E+00
Dilution factor for water (cm)	1.00E+00

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D O S E A N D R I S K E Q U I V A L E N T S U M M A R I E S

Non-Radon Individual Assessment
Jun 10, 2008 02:39 pm

Facility:	Waste Isolation Pilot Plant Address: 34 Louis Whitlock Road P.O. Box 2078 City: Carlsbad State: NM Zip: 88221
Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007
Comments:	CY 2007 WIPP COMPLIANCE REPORT 40 CFR Part 191, Subpart A
Dataset Name:	2007-191 A
Dataset Date:	Jun 10, 2008 02:38 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

ORGAN DOSE EQUIVALENT SUMMARY

Organ	Selected Individual (mrem/y)
GONADS	2.71E-06
BREAST	2.12E-06
R MAR	1.05E-05
LUNGS	1.37E-05
THYROID	2.23E-06
ENDOST	7.56E-05
RMNDR	5.26E-06
EFFEC	7.81E-06

PATHWAY EFFECTIVE DOSE EQUIVALENT SUMMARY

Pathway	Selected Individual (mrem/y)
INGESTION	2.87E-06
INHALATION	4.94E-06
AIR IMMERSION	2.56E-14
GROUND SURFACE	1.17E-09
INTERNAL	7.81E-06
EXTERNAL	1.17E-09
TOTAL	7.81E-06

NUCLIDE EFFECTIVE DOSE EQUIVALENT SUMMARY

Nuclide	Selected Individual (mrem/y)
AM-241	1.25E-06
PU-238	1.16E-06
PU-239	1.37E-06
SR-90	8.12E-07
CS-137	1.92E-06
U-233	8.24E-07
U-238	4.70E-07
TOTAL	7.81E-06

CANCER RISK SUMMARY

Cancer	Selected Individual Total Lifetime Fatal Cancer Risk
LEUKEMIA	1.93E-11
BONE	4.21E-12
THYROID	9.83E-13
BREAST	7.98E-12
LUNG	3.22E-11
STOMACH	4.94E-12
BOWEL	2.42E-12
LIVER	1.73E-11
PANCREAS	4.61E-12
URINARY	2.97E-12
OTHER	5.64E-12
TOTAL	1.03E-10

PATHWAY RISK SUMMARY

Pathway	Selected Individual Total Lifetime Fatal Cancer Risk
INGESTION	6.18E-11
INHALATION	4.07E-11
AIR IMMERSION	5.34E-19
GROUND SURFACE	2.43E-14
INTERNAL	1.02E-10
EXTERNAL	2.43E-14
TOTAL	1.03E-10

NUCLIDE RISK SUMMARY

Nuclide	Selected Individual Total Lifetime Fatal Cancer Risk
AM-241	6.35E-12
PU-238	6.19E-12
PU-239	6.89E-12
SR-90	1.63E-11
CS-137	5.03E-11
U-233	1.05E-11
U-238	6.04E-12
TOTAL	1.03E-10

INDIVIDUAL EFFECTIVE DOSE EQUIVALENT RATE (mrem/y)
(All Radionuclides and Pathways)

	Distance (meters)
Direction	7,500
N	2.9E-06
NNW	4.6E-06
NW	7.8E-06
WNW	7.1E-06
W	3.8E-06
WSW	2.7E-06
SW	2.7E-06
SSW	2.3E-06
S	1.7E-06
SSE	1.5E-06
SE	1.5E-06
ESE	1.4E-06
E	1.6E-06
ENE	1.7E-06
NE	1.6E-06
NNE	2.0E-06

INDIVIDUAL LIFETIME RISK (deaths)
(All Radionuclides and Pathways)

Direction	Distance (meters) 7,500
N	3.8E-11
NNW	6.1E-11
NW	1.0E-10
WNW	9.3E-11
W	4.9E-11
WSW	3.5E-11
SW	3.6E-11
SSW	3.0E-11
S	2.3E-11
SSE	2.0E-11
SE	2.0E-11
ESE	1.9E-11
E	2.1E-11
ENE	2.3E-11
NE	2.2E-11
NNE	2.6E-11

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W E A T H E R D A T A

Non-Radon Individual Assessment
Jun 10, 2008 02:39 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007-191 A
Dataset Date:	Jun 10, 2008 02:38 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

HARMONIC AVERAGE WIND SPEEDS (WIND TOWARDS)

Pasquill Stability Class

Dir	A	B	C	D	E	F	G	Wind Freq
N	4.319	3.411	2.997	2.506	2.212	1.824	0.000	0.071
NNW	4.579	3.712	3.252	3.350	3.350	2.192	0.000	0.112
NW	4.667	3.766	3.526	3.972	4.185	2.620	0.000	0.173
WNW	4.379	3.568	3.370	3.440	3.648	2.855	0.000	0.130
W	4.206	3.715	3.320	3.702	3.427	2.294	0.000	0.071
WSW	4.426	3.507	3.201	3.526	3.147	1.963	0.000	0.050
SW	4.525	3.264	2.880	3.481	2.888	2.026	0.000	0.046
SSW	4.498	3.463	2.984	2.908	2.456	2.032	0.000	0.040
S	4.805	3.111	2.580	2.678	2.609	2.020	0.000	0.033
SSE	4.482	3.097	2.567	2.206	2.701	1.939	0.000	0.031
SE	3.957	2.767	2.559	1.917	2.030	1.787	0.000	0.028
ESE	4.118	2.813	2.198	1.665	2.189	1.737	0.000	0.028
E	5.473	3.384	2.650	2.759	3.614	2.099	0.000	0.049
ENE	4.628	3.071	2.483	2.525	2.862	2.081	0.000	0.048
NE	4.130	2.860	2.522	2.073	2.156	1.841	0.000	0.040
NNE	4.025	3.064	2.486	2.069	1.928	1.658	0.000	0.049

ARITHMETIC AVERAGE WIND SPEEDS (WIND TOWARDS)

Pasquill Stability Class

Dir	A	B	C	D	E	F	G
N	4.888	4.037	3.767	3.721	3.273	2.634	0.000
NNW	5.178	4.454	4.275	4.847	4.571	3.037	0.000
NW	5.315	4.678	4.529	5.459	5.213	3.391	0.000
WNW	4.978	4.270	4.173	4.786	4.715	3.672	0.000
W	4.912	4.399	4.492	5.453	4.956	3.447	0.000
WSW	5.355	4.501	4.362	5.488	4.967	3.039	0.000
SW	5.329	4.280	4.100	5.365	4.932	2.923	0.000
SSW	5.392	4.235	3.949	4.668	4.148	2.974	0.000
S	5.663	4.032	3.687	4.787	4.169	3.040	0.000
SSE	5.564	4.067	3.484	4.219	4.324	3.076	0.000
SE	4.801	3.446	3.200	3.232	3.416	2.775	0.000
ESE	5.394	3.691	3.200	3.377	3.976	2.828	0.000
E	7.090	5.537	5.283	6.020	5.617	3.502	0.000
ENE	5.880	4.437	3.978	4.730	4.587	3.202	0.000
NE	5.157	3.735	3.553	3.444	3.400	2.740	0.000
NNE	4.689	3.665	3.297	3.272	3.020	2.427	0.000

FREQUENCIES OF STABILITY CLASSES (WIND TOWARDS)

Pasquill Stability Class

Dir	A	B	C	D	E	F	G
N	0.3476	0.0882	0.0736	0.1507	0.1206	0.2194	0.0000
NNW	0.2556	0.0581	0.0465	0.1566	0.2204	0.2629	0.0000
NW	0.1251	0.0320	0.0301	0.1520	0.3136	0.3472	0.0000
WNW	0.0786	0.0246	0.0262	0.1183	0.2394	0.5130	0.0000
W	0.0778	0.0324	0.0370	0.2182	0.2641	0.3705	0.0000
WSW	0.0982	0.0385	0.0431	0.2448	0.2496	0.3258	0.0000
SW	0.0936	0.0396	0.0431	0.2268	0.1936	0.4033	0.0000
SSW	0.1403	0.0502	0.0554	0.1957	0.1702	0.3883	0.0000
S	0.1793	0.0642	0.0612	0.2070	0.1627	0.3257	0.0000
SSE	0.2074	0.0751	0.0686	0.2029	0.1813	0.2646	0.0000
SE	0.1969	0.0908	0.0958	0.2104	0.1406	0.2656	0.0000
ESE	0.2166	0.1007	0.0975	0.1953	0.1636	0.2263	0.0000
E	0.3082	0.0886	0.0859	0.2162	0.1446	0.1565	0.0000
ENE	0.2964	0.1024	0.0912	0.1940	0.1400	0.1759	0.0000
NE	0.3127	0.1091	0.0912	0.1665	0.1223	0.1981	0.0000
NNE	0.3568	0.1049	0.0863	0.1657	0.0925	0.1937	0.0000
TOTAL	0.1889	0.0582	0.0541	0.1752	0.2085	0.3151	0.0000

ADDITIONAL WEATHER INFORMATION

Average Air Temperature:	17.4 degrees C
	290.56 K
Precipitation:	33.9 cm/y
Lid Height:	1,000 meters
Surface Roughness Length:	0.010 meters
Height of Wind Measurements:	10.0 meters
Average Wind Speed:	4.306 m/s
Vertical Temperature Gradients:	
STABILITY E	0.073 k/m
STABILITY F	0.109 k/m
STABILITY G	0.146 k/m

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C O N C E N T R A T I O N T A B L E S

Non-Radon Individual Assessment
Jun 10, 2008 02:39 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007-191 A
Dataset Date:	Jun 10, 2008 02:38 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
N	7,500	AM-241	9.6E-11	1.7E-17	3.9E-18	2.1E-17
N	7,500	PU-238	1.0E-10	1.9E-17	4.2E-18	2.3E-17
N	7,500	PU-239	1.1E-10	1.9E-17	4.4E-18	2.4E-17
N	7,500	SR-90	6.4E-09	1.2E-15	2.6E-16	1.4E-15
N	7,500	CS-137	5.2E-08	9.3E-15	2.1E-15	1.1E-14
N	7,500	U-233	2.6E-10	4.6E-17	1.0E-17	5.6E-17
N	7,500	U-238	1.7E-10	3.0E-17	6.7E-18	3.7E-17
NNW	7,500	AM-241	1.6E-10	2.8E-17	5.4E-18	3.4E-17
NNW	7,500	PU-238	1.7E-10	3.0E-17	5.7E-18	3.6E-17
NNW	7,500	PU-239	1.8E-10	3.2E-17	6.1E-18	3.8E-17
NNW	7,500	SR-90	1.0E-08	1.9E-15	3.6E-16	2.2E-15
NNW	7,500	CS-137	8.4E-08	1.5E-14	2.9E-15	1.8E-14
NNW	7,500	U-233	4.2E-10	7.5E-17	1.4E-17	8.9E-17
NNW	7,500	U-238	2.7E-10	4.9E-17	9.3E-18	5.8E-17
NW	7,500	AM-241	2.7E-10	4.8E-17	7.5E-18	5.6E-17
NW	7,500	PU-238	2.9E-10	5.2E-17	8.1E-18	6.0E-17
NW	7,500	PU-239	3.0E-10	5.4E-17	8.5E-18	6.3E-17
NW	7,500	SR-90	1.8E-08	3.2E-15	5.0E-16	3.7E-15
NW	7,500	CS-137	1.4E-07	2.6E-14	4.1E-15	3.0E-14
NW	7,500	U-233	7.1E-10	1.3E-16	2.0E-17	1.5E-16
NW	7,500	U-238	4.6E-10	8.3E-17	1.3E-17	9.6E-17
WNW	7,500	AM-241	2.4E-10	4.4E-17	6.1E-18	5.0E-17
WNW	7,500	PU-238	2.6E-10	4.7E-17	6.5E-18	5.4E-17
WNW	7,500	PU-239	2.8E-10	5.0E-17	6.9E-18	5.7E-17
WNW	7,500	SR-90	1.6E-08	2.9E-15	4.0E-16	3.3E-15
WNW	7,500	CS-137	1.3E-07	2.4E-14	3.3E-15	2.7E-14
WNW	7,500	U-233	6.5E-10	1.2E-16	1.6E-17	1.3E-16
WNW	7,500	U-238	4.2E-10	7.6E-17	1.0E-17	8.6E-17
W	7,500	AM-241	1.3E-10	2.3E-17	3.5E-18	2.7E-17
W	7,500	PU-238	1.4E-10	2.5E-17	3.8E-18	2.9E-17
W	7,500	PU-239	1.5E-10	2.6E-17	4.0E-18	3.0E-17
W	7,500	SR-90	8.6E-09	1.5E-15	2.4E-16	1.8E-15
W	7,500	CS-137	7.0E-08	1.3E-14	1.9E-15	1.4E-14
W	7,500	U-233	3.4E-10	6.2E-17	9.4E-18	7.1E-17
W	7,500	U-238	2.2E-10	4.0E-17	6.1E-18	4.6E-17
WSW	7,500	AM-241	9.1E-11	1.6E-17	2.6E-18	1.9E-17
WSW	7,500	PU-238	9.8E-11	1.8E-17	2.8E-18	2.0E-17
WSW	7,500	PU-239	1.0E-10	1.9E-17	3.0E-18	2.2E-17
WSW	7,500	SR-90	6.1E-09	1.1E-15	1.8E-16	1.3E-15
WSW	7,500	CS-137	4.9E-08	8.8E-15	1.4E-15	1.0E-14

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
WSW	7,500	U-233	2.4E-10	4.4E-17	7.0E-18	5.1E-17
WSW	7,500	U-238	1.6E-10	2.8E-17	4.6E-18	3.3E-17
SW	7,500	AM-241	9.3E-11	1.7E-17	2.6E-18	1.9E-17
SW	7,500	PU-238	9.9E-11	1.8E-17	2.8E-18	2.1E-17
SW	7,500	PU-239	1.0E-10	1.9E-17	2.9E-18	2.2E-17
SW	7,500	SR-90	6.2E-09	1.1E-15	1.7E-16	1.3E-15
SW	7,500	CS-137	5.0E-08	9.0E-15	1.4E-15	1.0E-14
SW	7,500	U-233	2.5E-10	4.4E-17	6.9E-18	5.1E-17
SW	7,500	U-238	1.6E-10	2.9E-17	4.5E-18	3.3E-17
SSW	7,500	AM-241	7.9E-11	1.4E-17	2.3E-18	1.7E-17
SSW	7,500	PU-238	8.5E-11	1.5E-17	2.5E-18	1.8E-17
SSW	7,500	PU-239	8.9E-11	1.6E-17	2.6E-18	1.9E-17
SSW	7,500	SR-90	5.3E-09	9.5E-16	1.5E-16	1.1E-15
SSW	7,500	CS-137	4.3E-08	7.7E-15	1.2E-15	8.9E-15
SSW	7,500	U-233	2.1E-10	3.8E-17	6.2E-18	4.4E-17
SSW	7,500	U-238	1.4E-10	2.5E-17	4.0E-18	2.9E-17
S	7,500	AM-241	5.9E-11	1.1E-17	1.9E-18	1.2E-17
S	7,500	PU-238	6.3E-11	1.1E-17	2.0E-18	1.3E-17
S	7,500	PU-239	6.6E-11	1.2E-17	2.1E-18	1.4E-17
S	7,500	SR-90	3.9E-09	7.0E-16	1.3E-16	8.3E-16
S	7,500	CS-137	3.2E-08	5.7E-15	1.0E-15	6.7E-15
S	7,500	U-233	1.6E-10	2.8E-17	5.0E-18	3.3E-17
S	7,500	U-238	1.0E-10	1.8E-17	3.2E-18	2.1E-17
SSE	7,500	AM-241	5.1E-11	9.1E-18	1.8E-18	1.1E-17
SSE	7,500	PU-238	5.4E-11	9.8E-18	1.9E-18	1.2E-17
SSE	7,500	PU-239	5.7E-11	1.0E-17	2.0E-18	1.2E-17
SSE	7,500	SR-90	3.4E-09	6.1E-16	1.2E-16	7.3E-16
SSE	7,500	CS-137	2.7E-08	4.9E-15	9.6E-16	5.9E-15
SSE	7,500	U-233	1.3E-10	2.4E-17	4.7E-18	2.9E-17
SSE	7,500	U-238	8.7E-11	1.6E-17	3.1E-18	1.9E-17
SE	7,500	AM-241	5.0E-11	8.9E-18	1.9E-18	1.1E-17
SE	7,500	PU-238	5.3E-11	9.6E-18	2.0E-18	1.2E-17
SE	7,500	PU-239	5.6E-11	1.0E-17	2.1E-18	1.2E-17
SE	7,500	SR-90	3.3E-09	6.0E-16	1.2E-16	7.2E-16
SE	7,500	CS-137	2.7E-08	4.8E-15	1.0E-15	5.8E-15
SE	7,500	U-233	1.3E-10	2.4E-17	4.9E-18	2.9E-17
SE	7,500	U-238	8.6E-11	1.5E-17	3.2E-18	1.9E-17
ESE	7,500	AM-241	4.8E-11	8.6E-18	1.9E-18	1.0E-17
ESE	7,500	PU-238	5.1E-11	9.2E-18	2.0E-18	1.1E-17
ESE	7,500	PU-239	5.4E-11	9.7E-18	2.1E-18	1.2E-17
ESE	7,500	SR-90	3.2E-09	5.7E-16	1.3E-16	7.0E-16

ESTIMATED RADIONUCLIDE CONCENTRATIONS
AT VARIOUS LOCATIONS IN THE ENVIRONMENT

Wind Toward	Distance (m)	Nuclide	Air Concentration (pCi/m^3)	Dry Deposition Rate ($pCi/cm^2/s$)	Wet Deposition Rate ($pCi/cm^2/s$)	Ground Deposition Rate ($pCi/cm^2/s$)
ESE	7,500	CS-137	2.6E-08	4.6E-15	1.0E-15	5.6E-15
ESE	7,500	U-233	1.3E-10	2.3E-17	5.0E-18	2.8E-17
ESE	7,500	U-238	8.2E-11	1.5E-17	3.3E-18	1.8E-17
E	7,500	AM-241	5.2E-11	9.4E-18	2.3E-18	1.2E-17
E	7,500	PU-238	5.6E-11	1.0E-17	2.4E-18	1.3E-17
E	7,500	PU-239	5.9E-11	1.1E-17	2.6E-18	1.3E-17
E	7,500	SR-90	3.5E-09	6.3E-16	1.5E-16	7.8E-16
E	7,500	CS-137	2.8E-08	5.0E-15	1.2E-15	6.3E-15
E	7,500	U-233	1.4E-10	2.5E-17	6.0E-18	3.1E-17
E	7,500	U-238	9.0E-11	1.6E-17	3.9E-18	2.0E-17
ENE	7,500	AM-241	5.6E-11	1.0E-17	2.5E-18	1.3E-17
ENE	7,500	PU-238	6.1E-11	1.1E-17	2.7E-18	1.4E-17
ENE	7,500	PU-239	6.4E-11	1.1E-17	2.8E-18	1.4E-17
ENE	7,500	SR-90	3.8E-09	6.8E-16	1.7E-16	8.4E-16
ENE	7,500	CS-137	3.0E-08	5.5E-15	1.3E-15	6.8E-15
ENE	7,500	U-233	1.5E-10	2.7E-17	6.6E-18	3.4E-17
ENE	7,500	U-238	9.8E-11	1.8E-17	4.3E-18	2.2E-17
NE	7,500	AM-241	5.4E-11	9.7E-18	2.4E-18	1.2E-17
NE	7,500	PU-238	5.8E-11	1.0E-17	2.5E-18	1.3E-17
NE	7,500	PU-239	6.1E-11	1.1E-17	2.7E-18	1.4E-17
NE	7,500	SR-90	3.6E-09	6.5E-16	1.6E-16	8.1E-16
NE	7,500	CS-137	2.9E-08	5.2E-15	1.3E-15	6.5E-15
NE	7,500	U-233	1.4E-10	2.6E-17	6.3E-18	3.2E-17
NE	7,500	U-238	9.4E-11	1.7E-17	4.1E-18	2.1E-17
NNE	7,500	AM-241	6.5E-11	1.2E-17	2.9E-18	1.5E-17
NNE	7,500	PU-238	7.0E-11	1.3E-17	3.2E-18	1.6E-17
NNE	7,500	PU-239	7.4E-11	1.3E-17	3.3E-18	1.7E-17
NNE	7,500	SR-90	4.3E-09	7.8E-16	2.0E-16	9.8E-16
NNE	7,500	CS-137	3.5E-08	6.3E-15	1.6E-15	7.9E-15
NNE	7,500	U-233	1.7E-10	3.1E-17	7.8E-18	3.9E-17
NNE	7,500	U-238	1.1E-10	2.0E-17	5.1E-18	2.5E-17

C A P 8 8 - P C

Version 2.00

Clean Air Act Assessment Package - 1988

D O S E A N D R I S K C O N V E R S I O N F A C T O R S

Non-Radon Individual Assessment
Jun 10, 2008 02:39 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007-191 A
Dataset Date:	Jun 10, 2008 02:38 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

DOSE AND RISK FACTOR UNITS

The units for each type of dose rate conversion factor are shown below, by pathway:

Pathway	Units
Ingestion	Millirem/picoCurie
Inhalation	Millirem/picoCurie
Immersion	Millirem-cubic cm/microCurie-year
Surface	Millirem-square cm/microCurie-year

Risks for internal exposures (inhalation and ingestion) are the lifetime risk of premature death in a birth cohort of 100,000 people for a 1 picoCurie/year intake rate, where the average lifetime is 70.7565 years.

This is simplified to lifetime risk per 100,000 picoCuries.

The units for each type of risk conversion factor are shown below, by pathway:

Pathway	Units
Ingestion	Lifetime risk/100,000 picoCuries
Inhalation	Lifetime risk/100,000 picoCuries
Immersion	Lifetime risk-cubic cm/100,000 picoCurie-years
Surface L	Lifetime risk-square cm/100,000 picoCurie-years

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* NUCLIDE AM-241 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	1.001E-03	1.212E-01	1.151E+08	3.541E+04
BREAST	9.709E-05	1.176E-02	1.469E+08	5.550E+04
R MAR	6.327E-03	7.663E-01	3.737E+07	1.077E+04
LUNGS	9.714E-05	8.047E-02	6.919E+07	2.009E+04
THYROID	9.703E-05	1.175E-02	1.099E+08	3.175E+04
ENDOST	7.801E-02	9.447E+00	1.273E+08	3.693E+04
RMNDR	3.508E-03	4.176E-01	6.778E+07	1.937E+04
EFFEC	4.430E-03	5.428E-01	9.104E+07	2.875E+04

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	9.208E-03	1.110E+00	3.452E+09	1.062E+06
OVARIES	9.232E-03	1.112E+00	1.521E+09	4.384E+05
AVERAGE	9.221E-03	1.111E+00	2.486E+09	7.504E+05

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	5.337E-04	6.457E-02	1.184E+01	3.410E-03
BONE	3.433E-04	4.152E-02	2.253E+00	6.535E-04
THYROID	1.062E-06	1.283E-04	4.998E+00	1.444E-03
BREAST	7.158E-06	8.639E-04	5.751E+01	2.174E-02
LUNG	9.643E-06	2.284E-02	3.429E+01	9.960E-03
STOMACH	6.586E-06	7.140E-04	1.852E+01	5.317E-03
BOWEL	1.094E-05	3.603E-04	8.526E+00	2.445E-03
LIVER	1.198E-03	1.448E-01	2.179E+01	6.239E-03
PANCREAS	4.480E-06	5.408E-04	9.503E+00	2.760E-03
URINARY	2.298E-06	2.773E-04	8.681E+00	2.479E-03
OTHER	5.479E-06	6.614E-04	1.162E+01	3.376E-03

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.197E-10	3.843E-08	6.464E+02	1.951E-01

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* NUCLIDE PU-238 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	8.603E-04	1.041E-01	4.218E+05	7.548E+02
BREAST	8.419E-05	1.020E-02	1.806E+06	4.070E+03
R MAR	5.485E-03	6.641E-01	5.291E+04	4.514E+01
LUNGS	8.419E-05	7.893E-02	1.177E+05	1.225E+02
THYROID	8.419E-05	1.020E-02	1.709E+05	1.510E+02
ENDOST	6.763E-02	8.189E+00	2.090E+05	2.050E+02
RMNDR	3.085E-03	3.666E-01	8.732E+04	7.659E+01
EFFEC	3.853E-03	4.726E-01	4.344E+05	8.530E+02
GENETIC EFFECT DOSE RATE CONVERSION FACTORS				
TESTES	8.657E-03	1.043E+00	1.265E+07	2.264E+04
OVARIES	8.673E-03	1.045E+00	2.331E+06	2.087E+03
AVERAGE	8.665E-03	1.044E+00	7.492E+06	1.237E+04

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	4.695E-04	5.676E-02	1.676E-02	1.430E-05
BONE	3.046E-04	3.681E-02	3.700E-03	3.628E-06
THYROID	9.438E-07	1.140E-04	7.775E-03	6.866E-06
BREAST	6.493E-06	7.839E-04	7.072E-01	1.594E-03
LUNG	8.684E-06	2.272E-02	5.833E-02	6.072E-05
STOMACH	5.991E-06	6.480E-04	2.550E-02	1.840E-05
BOWEL	1.016E-05	3.272E-04	1.083E-02	6.451E-06
LIVER	1.099E-03	1.327E-01	2.503E-02	9.235E-06
PANCREAS	4.054E-06	4.895E-04	1.656E-02	1.864E-05
URINARY	2.080E-06	2.511E-04	1.007E-02	3.352E-06
OTHER	4.959E-06	5.987E-04	2.026E-02	2.280E-05
GENETIC EFFECT RISK CONVERSION FACTORS				
AVERAGE	2.992E-10	3.604E-08	1.948E+00	3.216E-03

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* NUCLIDE PU-239 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	9.741E-04	1.180E-01	4.329E+05	3.463E+02
BREAST	9.453E-05	1.145E-02	9.990E+05	1.617E+03
R MAR	6.166E-03	7.471E-01	1.950E+05	5.587E+01
LUNGS	9.453E-05	7.609E-02	2.420E+05	8.954E+01
THYROID	9.453E-05	1.145E-02	3.385E+05	1.165E+02
ENDOST	7.593E-02	9.199E+00	3.996E+05	1.473E+02
RMNDR	3.399E-03	4.054E-01	2.250E+05	6.734E+01
EFFEC	4.310E-03	5.278E-01	4.002E+05	3.747E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	8.801E-03	1.061E+00	1.299E+07	1.039E+04
OVARIES	8.777E-03	1.058E+00	5.506E+06	1.798E+03
AVERAGE	8.789E-03	1.059E+00	9.246E+06	6.094E+03

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	5.183E-04	6.271E-02	6.176E-02	1.770E-05
BONE	3.323E-04	4.019E-02	7.072E-03	2.606E-06
THYROID	1.027E-06	1.242E-04	1.540E-02	5.301E-06
BREAST	6.868E-06	8.298E-04	3.913E-01	6.333E-04
LUNG	9.263E-06	2.149E-02	1.200E-01	4.439E-05
STOMACH	6.254E-06	6.858E-04	6.736E-02	1.961E-05
BOWEL	9.813E-06	3.457E-04	3.275E-02	8.719E-06
LIVER	1.148E-03	1.387E-01	7.186E-02	1.699E-05
PANCREAS	4.289E-06	5.181E-04	4.236E-02	1.502E-05
URINARY	2.200E-06	2.658E-04	2.614E-02	6.081E-06
OTHER	5.246E-06	6.337E-04	5.181E-02	1.838E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.034E-10	3.656E-08	2.404E+00	1.584E-03

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* NUCLIDE SR-90 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	5.329E-06	9.758E-07	0.000E+00	0.000E+00
BREAST	5.329E-06	9.758E-07	0.000E+00	0.000E+00
R MAR	6.501E-04	1.109E-04	0.000E+00	0.000E+00
LUNGS	5.329E-06	9.220E-03	0.000E+00	0.000E+00
THYROID	5.329E-06	9.757E-07	0.000E+00	0.000E+00
ENDOST	1.438E-03	2.425E-04	0.000E+00	0.000E+00
RMNDR	2.118E-05	2.784E-04	0.000E+00	0.000E+00
EFFEC	1.304E-04	1.211E-03	0.000E+00	0.000E+00

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	1.512E-04	2.379E-05	0.000E+00	0.000E+00
OVARIES	1.512E-04	2.379E-05	0.000E+00	0.000E+00
AVERAGE	1.512E-04	2.379E-05	0.000E+00	0.000E+00

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.819E-04	2.891E-05	0.000E+00	0.000E+00
BONE	2.042E-05	3.197E-06	0.000E+00	0.000E+00
THYROID	2.352E-07	3.935E-08	0.000E+00	0.000E+00
BREAST	1.996E-06	3.193E-07	0.000E+00	0.000E+00
LUNG	2.533E-06	3.725E-03	0.000E+00	0.000E+00
STOMACH	1.117E-06	9.050E-06	0.000E+00	0.000E+00
BOWEL	5.940E-06	8.003E-05	0.000E+00	0.000E+00
LIVER	1.919E-06	4.889E-07	0.000E+00	0.000E+00
PANCREAS	1.246E-06	1.994E-07	0.000E+00	0.000E+00
URINARY	6.392E-07	1.023E-07	0.000E+00	0.000E+00
OTHER	1.524E-06	2.438E-07	0.000E+00	0.000E+00

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.931E-11	6.185E-12	0.000E+00	0.000E+00

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* NUCLIDE CS-137 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	4.404E-05	2.925E-05	0.000E+00	0.000E+00
BREAST	4.799E-05	3.190E-05	0.000E+00	0.000E+00
R MAR	4.365E-05	2.901E-05	0.000E+00	0.000E+00
LUNGS	4.438E-05	3.262E-05	0.000E+00	0.000E+00
THYROID	5.080E-05	3.378E-05	0.000E+00	0.000E+00
ENDOST	3.052E-05	2.029E-05	0.000E+00	0.000E+00
RMNDR	4.950E-05	3.291E-05	0.000E+00	0.000E+00
EFFEC	4.606E-05	3.099E-05	0.000E+00	0.000E+00

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	1.302E-03	8.650E-04	0.000E+00	0.000E+00
OVARIES	1.290E-03	8.550E-04	0.000E+00	0.000E+00
AVERAGE	1.296E-03	8.600E-04	0.000E+00	0.000E+00

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.378E-05	9.158E-06	0.000E+00	0.000E+00
BONE	5.381E-07	3.578E-07	0.000E+00	0.000E+00
THYROID	2.301E-06	1.530E-06	0.000E+00	0.000E+00
BREAST	1.868E-05	1.242E-05	0.000E+00	0.000E+00
LUNG	2.187E-05	1.674E-05	0.000E+00	0.000E+00
STOMACH	1.153E-05	7.465E-06	0.000E+00	0.000E+00
BOWEL	4.723E-06	3.017E-06	0.000E+00	0.000E+00
LIVER	1.667E-05	1.109E-05	0.000E+00	0.000E+00
PANCREAS	1.079E-05	7.174E-06	0.000E+00	0.000E+00
URINARY	6.303E-06	4.188E-06	0.000E+00	0.000E+00
OTHER	1.320E-05	8.775E-06	0.000E+00	0.000E+00

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.370E-10	2.236E-10	0.000E+00	0.000E+00

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* NUCLIDE U-233 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	3.895E-05	9.969E-06	1.328E+06	4.884E+02
BREAST	3.895E-05	1.008E-05	1.935E+06	1.591E+03
R MAR	1.037E-03	2.592E-04	7.437E+05	1.769E+02
LUNGS	3.895E-05	1.112E+00	8.880E+05	2.264E+02
THYROID	3.895E-05	9.983E-06	1.254E+06	3.104E+02
ENDOST	1.643E-02	4.104E-03	1.469E+06	3.737E+02
RMNDR	1.413E-03	3.809E-04	8.614E+05	2.020E+02
EFFEC	1.063E-03	1.337E-01	1.158E+06	4.903E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	1.070E-03	2.304E-04	3.985E+07	1.465E+04
OVARIES	1.070E-03	2.306E-04	2.065E+07	5.050E+03
AVERAGE	1.070E-03	2.305E-04	3.025E+07	9.851E+03

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.009E-04	2.334E-05	2.356E-01	5.602E-05
BONE	8.592E-05	1.966E-05	2.600E-02	6.614E-06
THYROID	6.739E-07	1.568E-07	5.705E-02	1.412E-05
BREAST	5.670E-06	1.282E-06	7.580E-01	6.232E-04
LUNG	7.209E-06	1.782E-01	4.402E-01	1.123E-04
STOMACH	5.224E-06	1.359E-06	2.550E-01	6.075E-05
BOWEL	7.548E-06	4.270E-06	1.253E-01	2.929E-05
LIVER	5.074E-06	1.143E-06	2.776E-01	6.330E-05
PANCREAS	3.540E-06	7.915E-07	1.575E-01	3.955E-05
URINARY	3.083E-04	6.783E-05	1.012E-01	2.298E-05
OTHER	4.330E-06	9.680E-07	1.926E-01	4.837E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.698E-11	7.982E-12	7.865E+00	2.561E-03

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* NUCLIDE U-238 *
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DOSE RATE CONVERSION FACTORS

Organ	Ingestion	Inhalation	Air Immersion	Ground Surface
GONADS	3.464E-05	9.642E-06	5.365E+05	5.550E+02
BREAST	3.467E-05	1.122E-05	1.550E+06	2.967E+03
R MAR	1.087E-03	2.875E-04	1.413E+05	5.550E+01
LUNGS	3.464E-05	9.773E-01	2.505E+05	1.214E+02
THYROID	3.461E-05	1.045E-05	3.774E+05	1.572E+02
ENDOST	1.408E-02	3.540E-03	4.514E+05	2.094E+02
RMNDR	1.248E-03	3.947E-04	2.247E+05	8.303E+01
EFFEC	9.465E-04	1.175E-01	5.060E+05	6.410E+02

GENETIC EFFECT DOSE RATE CONVERSION FACTORS

TESTES	9.502E-04	2.139E-04	1.609E+07	1.665E+04
OVARIES	9.509E-04	2.196E-04	5.395E+06	2.287E+03
AVERAGE	9.506E-04	2.169E-04	1.074E+07	9.468E+03

RISK CONVERSION FACTORS

Cancer	Ingestion	Inhalation	Air Immersion	Ground Surface
LEUKEMIA	1.364E-04	3.538E-05	4.477E-02	1.758E-05
BONE	7.601E-05	1.771E-05	7.989E-03	3.706E-06
THYROID	6.076E-07	1.892E-07	1.717E-02	7.153E-06
BREAST	5.123E-06	1.657E-06	6.072E-01	1.162E-03
LUNG	6.509E-06	1.577E-01	1.242E-01	6.017E-05
STOMACH	4.656E-06	3.089E-06	6.460E-02	2.346E-05
BOWEL	7.207E-06	2.055E-05	2.964E-02	9.812E-06
LIVER	3.860E-06	1.884E-06	7.238E-02	1.985E-05
PANCREAS	3.197E-06	1.139E-06	3.638E-02	1.846E-05
URINARY	2.760E-04	6.084E-05	2.748E-02	7.335E-06
OTHER	3.909E-06	1.393E-06	4.450E-02	2.258E-05

GENETIC EFFECT RISK CONVERSION FACTORS

AVERAGE	3.504E-11	1.052E-11	2.792E+00	2.462E-03

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C A P 8 8 - P C

Version 2.00

Clean Air Act Assessment Package - 1988

C H I / Q T A B L E S

Non-Radon Individual Assessment
Jun 10, 2008 02:39 pm

Facility:	Waste Isolation Pilot Plant
Address:	34 Louis Whitlock Road
	P.O. Box 2078
City:	Carlsbad
State:	NM Zip: 88221

Source Category:	Exempt DOE Facility
Source Type:	Stack
Emission Year:	2007

Comments:	CY 2007 WIPP COMPLIANCE REPORT
	40 CFR Part 191, Subpart A

Dataset Name:	2007-191 A
Dataset Date:	Jun 10, 2008 02:38 pm
Wind File:	C:\CAP88PC2\WNDFILES\2007VET.WND

Jun 10, 2008 02:39 pm

CHIQ
Page 1

GROUND-LEVEL CHI/Q VALUES FOR AM-241
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.786E-08
NNW	1.110E-07
NW	1.890E-07
WNW	1.728E-07
W	9.141E-08
WSW	6.467E-08
SW	6.556E-08
SSW	5.596E-08
S	4.148E-08
SSE	3.577E-08
SE	3.512E-08
ESE	3.365E-08
E	3.690E-08
ENE	3.998E-08
NE	3.833E-08
NNE	4.612E-08

GROUND-LEVEL CHI/Q VALUES FOR PU-238
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.790E-08
NNW	1.111E-07
NW	1.892E-07
WNW	1.730E-07
W	9.151E-08
WSW	6.472E-08
SW	6.562E-08
SSW	5.601E-08
S	4.152E-08
SSE	3.580E-08
SE	3.514E-08
ESE	3.367E-08
E	3.693E-08
ENE	4.001E-08
NE	3.835E-08
NNE	4.614E-08

GROUND-LEVEL CHI/Q VALUES FOR PU-239
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.775E-08
NNW	1.109E-07
NW	1.889E-07
WNW	1.727E-07
W	9.138E-08
WSW	6.461E-08
SW	6.548E-08
SSW	5.589E-08
S	4.144E-08
SSE	3.575E-08
SE	3.507E-08
ESE	3.361E-08
E	3.690E-08
ENE	3.995E-08
NE	3.828E-08
NNE	4.602E-08

GROUND-LEVEL CHI/Q VALUES FOR SR-90
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.787E-08
NNW	1.110E-07
NW	1.890E-07
WNW	1.728E-07
W	9.142E-08
WSW	6.467E-08
SW	6.557E-08
SSW	5.597E-08
S	4.149E-08
SSE	3.578E-08
SE	3.512E-08
ESE	3.365E-08
E	3.691E-08
ENE	3.998E-08
NE	3.833E-08
NNE	4.613E-08

GROUND-LEVEL CHI/Q VALUES FOR CS-137
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.789E-08
NNW	1.111E-07
NW	1.891E-07
WNW	1.729E-07
W	9.148E-08
WSW	6.471E-08
SW	6.560E-08
SSW	5.599E-08
S	4.151E-08
SSE	3.580E-08
SE	3.513E-08
ESE	3.366E-08
E	3.693E-08
ENE	4.000E-08
NE	3.834E-08
NNE	4.613E-08

GROUND-LEVEL CHI/Q VALUES FOR U-233
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.786E-08
NNW	1.110E-07
NW	1.891E-07
WNW	1.729E-07
W	9.146E-08
WSW	6.469E-08
SW	6.558E-08
SSW	5.597E-08
S	4.149E-08
SSE	3.579E-08
SE	3.512E-08
ESE	3.365E-08
E	3.692E-08
ENE	3.999E-08
NE	3.833E-08
NNE	4.610E-08

GROUND-LEVEL CHI/Q VALUES FOR U-238
CHI/Q TOWARD INDICATED DIRECTION (SEC/CUBIC METER)

	Distance (meters)
Direction	7,500
N	6.783E-08
NNW	1.110E-07
NW	1.891E-07
WNW	1.729E-07
W	9.146E-08
WSW	6.467E-08
SW	6.556E-08
SSW	5.596E-08
S	4.149E-08
SSE	3.578E-08
SE	3.511E-08
ESE	3.365E-08
E	3.692E-08
ENE	3.999E-08
NE	3.832E-08
NNE	4.608E-08