

From: Owens, Kirk W.
Sent: Thursday, December 15, 2005 7:45 PM
To: Roles, Gary W.
Subject: FW: PART 1 of 3 -- ENV-SWRC COMMENTS ON SWEIS ATTACHED

Attachments: SWRC comments 12-14-05_PART 1.doc; Untitled Attachment

Kirk Owens

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-----Original Message-----

From: ewithers@doeal.gov [mailto:ewithers@doeal.gov]
Sent: Wednesday, December 14, 2005 9:49 PM
To: Kirk Owens - SAIC (E-mail)
Subject: FW: PART 1 of 3 -- ENV-SWRC COMMENTS ON SWEIS ATTACHED

Elizabeth Withers
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-----Original Message-----

From: Paul Schumann [mailto:schumannp@lanl.gov]
Sent: Wednesday, December 14, 2005 4:39 PM
To: Withers, Elizabeth
Cc: schumannp@lanl.gov; grieggst@lanl.gov
Subject: PART 1 of 3 -- ENV-SWRC COMMENTS ON SWEIS ATTACHED

Hello Elizabeth,

This is the first set of ENV-SWRC comments; a second set with critical comments is in preparation (PART 2) but we could not deliver it by this deadline. They will be provided as quickly as possible.

Likewise, additional comments are being delivered as markups of hard-copy pages in a separate transmittal (PART 3). They will be provided as quickly as possible.

We will be more than happy to answer questions or provide additional information related to any of the comments presented here.

Thanks very much.

Paul

**SUBJECT: ENV-SWRC REVIEW COMMENTS ON SWEIS, 11/28/05
WORKING DRAFT – PART 1 of 3**

The following comments are submitted on behalf of ENV-SWRC, and represent the combined comments of several subject matter experts within our group. In addition, a number of comments are made that touch on areas that may be more under the purview of ENV-ECR, NWIS-SWO, or other LANL groups. In cases where one of our comments may conflict with one of theirs, we strongly recommend that you and your subcontractors pursue comment resolution with due diligence, by including both organizations in the discussion.

This is the first set of our comments; a second set with critical comments is in preparation (PART 2) but we could not deliver it by this deadline. They will be provided as quickly as possible.

Likewise, additional comments are being delivered as markups of hard-copy pages in a separate transmittal (PART 3). They will be provided as quickly as possible.

Many of our comments here and in Part 2 are provided in order to correct errors and omissions that simply reflect cases in which misinformation was gathered by or provided to the document preparers. Please note that no one in SWRC was contacted or consulted during the information gathering phases of 2005 regarding these specific items; therefore we are curious as to the sources of the incorrect information. We will be more than happy to answer questions or provide additional information related to any of the comments presented here.

Comment No.	Section	page	Line	Comment / Suggested Change	Rationale
	general		all	ADDITIONAL COMMENTS ON HARD COPY ARE BEING FAXED OR HAND-DELIVERED TO LASO, separately.	
	1.0	1-1, 1-2		ADDITIONAL COMMENTS ON HARD COPY ARE BEING FAXED OR HAND-DELIVERED TO LASO, separately.	
	1.1		251	Change “Two” to “three”.	I understand the intention, but this is confusing as written. Alternatively, the sentence would have to be rewritten entirely to make it clear that DOE uses THREE hazard categories and classified s the hazards based on whether or not they have nuclear materials/ radiological hazards.
	2.2.6		316	Change “the defining source” to “the primary document recognized as defining the regulatory requirements and schedules”	Clearer language.
	2.2.6		332	Change “The Remediation Services Project” to “Module VIII of the LANL hazardous waste permit, originally issued by EPA in 1990,”	The original list was identified jointly by DOE, LANL, and EPA and its contractors, but EPA is responsible for publishing the “official” list in the permit.
	2.2.6		334-337	Please verify these numbers with J. English.	
	6.0		all	MAJOR COMMENTS TO FOLLOW SHORTLY. THIS SECTION REQUIRES MAJOR REVISION. I will provide language excerpted from the Compliance Summary of the most recent published LANL Environmental Surveillance Report, which provides a far more accurate summary of specific permits, approvals and authorizations.	This section is severely inadequate and inaccurate as written. Calling out the air permits alone, without even mentioning specifically the other key state and federal permits, authorizations and orders in this section, is not acceptable.
	general			I WILL PROVIDE WASTE STREAMS AND NUMBERS SHORTLY via separate transmittal.	There are several published and accessible sources with more complete LANL waste stream data, such as the annual Waste Minimization reports and RCRA Biennial reports.
	G.4.1	G69-	2211	What are the “environmental goals” being achieved? Unclear sentence.	
	G.4.2		All	This entire description is outdated and, at this time, incorrect, even as compared to the 60% conceptual design report.. THIS SECTION NEEDS TO BE REWRITTEN COMPLETELY.	The 90% conceptual design report is available as of this week. IT SHOULD BE CONSULTED for the latest

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					description of the specific alternatives now on the table, and used as the basis to REWRITE THIS SECTION COMPLETELY.
	G.4.2		2236	Replace the words “decontaminated liquid” with “effluent.”	More correct, both technically and “regulatorily” (per NPDES)
	G.4.2		2238	Replace the words “actively heated equipment” with “mechanical evaporators.”	
	G.4.2.1		2249	Replace the words “liquid wastes” with “effluent.”	
	G.4.2.1		2252	Add the words “if it meets the WAC” at the end of this sentence.	
	G.4.2.1		2281	Add the words “if it meets the WAC” at the end of this sentence.	
	G.4.2.1		2291	Delete the word “dilute”	
	G.4.2.1		2322	Replace the words “active thermal ” with “mechanical.”	
	G.4.2.1		2334	ALL NUMBERS IN TABLE G-25 ARE OUTDATED AND INCORRECT(low by an order of at least 4x, even as compared with the now-old 60% CDR!).	The 90% conceptual design report is available as of this week. IT SHOULD BE CONSULTED for the latest and most updated estimates now on the table, and used as the basis to REWRITE THIS SECTION COMPLETELY.
	G.4.2.1		2339	Change “North and East Annexes” to “North, the East Annex, and TA-50-66.”	
	G.4.2.1		2351	Unless this remediation is within the RLW Upgrades Project scope, this is probably not the right place to discuss it.	Unless known to be funded by this project, remediation should probably be discussed elsewhere, e.g., Appendix I.
	G.4.2.1		2359	Need to discuss here whether the new construction will comply with seismic standards.	
	G.4	G75-G-96		ADDITIONAL COMMENTS ON HARD COPY ARE BEING FAXED OR HAND-DELIVERED TO LASO.	
	H.3.3		2776-2777	The statement that "There are no environmental restoration sites within the Landfill footprint..." is incorrect.	Since we and the public would define the term "environmental restoration sites" to include potential release sites (PRSs), then this statement is incorrect because there are a number of PRSs located within the footprint of the Landfill, including PRSs 61-005, 61-003, 61-004(c) and others.
	H.4		3014	“...waste, transuranic waste, and mixed transuranic waste that take into...	Mixed (radioactive and hazardous waste

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					components) transuranic waste is a significant portion of waste managed in TA-54. The absence of the waste type in the discussion throughout this section is a general deficiency unless there is an unexplained consensus that the term “transuranic waste” includes mixed and non-mixed waste. Another way of handling this may be to simply state upfront that “transuranic waste” as used in the document includes rad-only and mixed. This is not as good a solution because this distinction may be important in the alternative decision process (e.g., the need for RCRA permitting for a storage area may influence timelines pending issuance or restrict storage to rad-only transuranic waste).
	H.4		3031	“transuranic waste (Area G) and mixed transuranic waste (Area G) that are generated...”	See Comment 1
	H.4			“...to undergo DD&D and be moved or replaced...”	
	H.4		3040	“Transuranic and mixed transuranic waste stored below-grade...”	It’s probable that a significant percentage of transuranic waste stored below grade at Area G is mixed. Much of the waste are the same wastestreams characterized as mixed during the TWISP retrieval and subsequent WIPP characterization.
	H.4		3049	“...transuranic waste, and mixed transuranic waste are currently managed...”	See Comment 1
	H.4		3056-7	“Mixed low-level radioactive legacy waste and hazardous and chemical legacy wastes are only temporarily stored in Area L for processing and shipment to offsite disposal facilities ...”	Not all wastes subject to the LANL Site Treatment Plan have been worked off and left Area L. This edit is simplistic in that it does not mention the driver for this (the STP) but is probably sufficient for this document.
	H.4		3064		Question: Legacy waste is defined as

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					having been generated by past operations. The text "...56,500 cubic feet...will be newly-generated from other areas within LANL." seems confusing. Is this 1.) waste that will be generated and shipped to Area G in the future or 2.) waste that has been generated and is currently stored in other areas and which will be collected at Area G at some point?
	H.4		3097	"Transuranic and mixed transuranic waste in below-ground storage..."	See Comment 1
	H.4		3105	"...of contact-handled mixed transuranic waste..."	In discussions with Area G personnel for the retrieval of this waste, it has been described as mixed. I am not aware that the waste discussed in the other units in this list is confirmed to include mixed waste but it is derived from the same waste generating processes as previously characterized TWISP wastes that are now classified as mixed.
	H.4		3132	"Transuranic and Mixed Transuranic Waste-This waste continues to be generated..."	See Comment 1
	H.4		3161	"...transuranic and mixed transuranic waste in above-ground fabric domes..."	See Comment 1
	H.4		3168-3175	The New Mexico Environment Department, DOE, and the University of California entered into a Consent Order for corrective action on March 1, 2005, which requires closure of the affected below-grade solid waste management units (referred to as MDA L and MDA G in the corrective action program) by December 31, 2010 for MDA L and December 29, 2015 for MDA G (NMED 2005a, LANL 2005b). In addition, the New Mexico Environment Department intends to simultaneously issue two hazardous waste permits that will include closure and post-closure requirements; one for active storage and treatment units and the second for interim status disposal units that are no longer active (NMED 2005b).	The Consent Order was issued to remedy the schedule and technical scope of the LANL corrective action program rather than solve the problem of separate regulatory programs. The other edits are made to try to better define the purpose of the three documents.
	H.4		3181	"...transuranic and mixed transuranic waste for shipment..."	See Comment 1
	H.4		3183	"...shipping transuranic and mixed transuranic waste..."	See Comment 1
	H.4		3205	"All transuranic and mixed transuranic waste...:"	See Comment 1

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	H.4		3207	“Newly-generated transuranic and mixed transuranic waste would...”	See Comment 1
	H.4		3221-2	“These actions would occur on a schedule that would allow closure of the Area L and Area G active waste storage and inactive waste disposal operations under the hazardous waste facility permit and of MDA L and MDA G per the terms of the Consent Order.”	Changes suggested to clarify the distinctions between the drivers for closure for the different types of units.
	H.4		3253	“Construction of the facility would disturb...”	Line 3265 describes the DD&D of the facility upon completion of the removal of remote-handled transuranic waste from Area G.
	H.4			Suggest adding a short paragraph containing a discussion about the need for RCRA permitting for this facility: “A Resource Conservation and Recovery Act permit modification approval by the New Mexico Environment Department will be needed for the construction of this facility because mixed transuranic waste will be stored at the site. During the permit modification approval process, additional operating and safety procedures may be implemented based upon conditions added by the regulatory agency and from the public comment process.	Waste retrieved from shafts 200-232 will require storage during the period while it is managed and subject to an array of characterization and repackaging operations (lines 3225-3230). The waste will be newly-generated upon retrieval and could use generator waste accumulation provisions for up to 90 days. However, past operations of this type have always stipulated the need for permitted storage capability to avoid potential compliance issues associated with exceeding the 90 day timeframe. If greater than 90 day storage is needed in this facility, a RCRA permit modification reviewing waste management structures and procedures and authorizing construction will be needed and will affect scheduling of the project.
	H.4		3263	Suggest adding a bullet after Design: <ul style="list-style-type: none"> Request permit modification: submit by 10/1/2008, secure by 9/30/2009 	In the event of a request for a storage permit modification, approval by NMED will be a scheduling factor as construction would be prohibited until

Com-ment No.	Section	page	Line	Comment / Suggested Change	Rationale
					approval is granted. Permit mod request packages usually require design stage 1+some stage 2 level of detail. The schedule suggested in this bullet is obtained by simply dividing the design phase in half. A more conservative approach might be to move this back to about 4/1/2008 subject to scheduling discussions with NMED.
	H.4		3265	"...facility would undergo closure under the hazardous waste facility permit and DD&D upon completion..."	If permitted, the unit cannot be DD&D without completing closure by decontamination and removal of all waste and waste residues.
	H.4		3280	"...shipping newly generated transuranic and mixed transuranic waste."	See Comment 1
	H.4		3290	"...storage of up to 1500 drums of transuranic and mixed transuranic waste."	Additional comment: Storage of mixed transuranic waste in a new TWCF will require a RCRA permit modification. See below.
	H.4		3320	Suggest adding a short paragraph containing a discussion about the need for RCRA permitting for this facility: "A Resource Conservation and Recovery Act permit modification approval by the New Mexico Environment Department will be needed for the construction of this facility because mixed transuranic waste will be stored at the site. During the permit modification approval process, additional operating and safety procedures may be implemented based upon conditions added by the regulatory agency and from the public comment process.	A new facility replacing the mixed waste storage functions of Area G will require a RCRA permit modification for approval of construction.
	H.4		3328	Suggest inserting sentence: A permit modification request would be submitted to the New Mexico Environment Department in fiscal year 2009 anticipating approval prior to construction of the facility.	See Comment 20
	H.4		3331	"...of contact-handled transuranic and mixed transuranic waste..."	See Comment 1
	H.4		3355	Suggest adding the following to the end of this paragraph: These existing facilities are RCRA permitted for the storage of mixed transuranic waste during repackaging and characterization activities. The proposed new units will also require permit modification approvals prior to construction.	True condition if mixed transuranic waste will be stored and processed at these facilities.
	H.4		3388	No edit.	Need to confirm that these buildings have or will have never processed mixed transuranic waste prior to

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					DD&D. Otherwise, will require RCRA closure in addition.
	H.4		3510	"...up to 90 days at these sites before direct shipment..."	Clarification edit.
	H.4		3508	"...manage hazardous wastes..."	Redundant.
	H.4		3516-19	Delete sentence: "LANL staff would..."	TA-54-32 is already RCRA permitted for hazardous wastes.
	H.4		3526	"...schedule requirements, technical challenges, the need for permit modification approvals, or other factors..."	RCRA permitting needs could seriously impact design and construction schedules.
	H.4		3530		H.4
	H.4		3573	"...existing facility, such as the Radioactive Materials Research, Operations, and Demonstration Facility..."	Although TA-50-37 still exists, it is my understanding that the RAMROD facility was never constructed in the building.
	H.4		3580	Suggest adding another bullet: <ul style="list-style-type: none"> The facility would need RCRA permitting for storage of mixed transuranic waste. 	
	H.4		3604	Suggest adding another bullet: <ul style="list-style-type: none"> The facility would need RCRA permitting for storage of mixed transuranic waste. 	
	H.4		3606-11		Comment: A positive factor - RANT is RCRA permitted for storage of mixed transuranic waste although the current capacity (approximately 200 55-gallon drum equivalents) might not be sufficient for this purpose.