

PROPOSED NEW WIPP EXPANSION – “VOLUME REDUCTION”

What is the “Volume Reduction” Permit Modification Request (PMR)?

On January 31, 2018, the Department of Energy (DOE) and Nuclear Waste Partnership, the co-permittees for the Waste Isolation Pilot Plant (WIPP), submitted a Class 2 PMR entitled: “Clarification of TRU Mixed Waste Disposal Volume Reporting.” The request asks the New Mexico Environment Department (NMED) to change several Permit provisions that have been in place since the Permit was issued on October 27, 1999. A major change is how the waste volume is measured related to the legal limit of 6.2 million cubic feet (175,564 cubic meters) established by the WIPP Land Withdrawal Act (LWA). Waste volume has always been calculated based on the waste container volume. The PMR proposes a new “Land Withdrawal Act TRU Waste Volume of Record” that would be “the volume of TRU waste inside a disposal container.”

What would the effect of the PMR be?

According to the request, “the volume of contact-handled TRU mixed waste disposed as of December 6, 2017, based on the outermost container volumes is 3,238,673 ft³ (91,709 m³) while the volume based on the innermost container volumes, which would more accurately reflect the LWA TRU waste volume of record, is 2,307,708 ft³ (65,347 m³).” Page 9.

That’s a reduction of 930,965 cubic feet (26,362 cubic meters) of the waste emplaced in the WIPP underground. On a percentage basis, it is a 28.7 percent reduction. The effect would be to immediately increase WIPP’s capacity by that amount.

The outer container volumes are what DOE has always reported to Congress, as well as used in the WIPP Permit, at other sites, and as the basis for performance measures and bonuses for contractors.

Is the change needed?

No. Using those December 6, 2017 amounts, the repository has disposed of less than 55 percent of the legal capacity since it opened on March 26, 1999. So WIPP is years away from reaching the legal limit, which is a maximum, as WIPP could legally dispose of less waste.

How much of the underground disposal area has been used?

In the first six panels, there were 92,240 cubic meters of Contact-Handled (CH) waste emplaced, while the capacity was 111,000 cubic meters. So 81.3 percent of the space was used. For Remote-Handled (RH) waste, 625 cubic meters was disposed, while the capacity was 1,335 cubic meters. So 46.8 percent of the space was used. Thus, 19,470 cubic meters of space was “lost” or forfeited. About 10,000 cubic meters of space in Panel 7 will be unused because of the underground contamination and roof collapses that have occurred.

What can people do?

There is a 60-day comment period – until April 3, 2018 – on the Class 2 PMR. People can comment on the request, including asking that NMED deny the request. Alternatively, people can ask that NMED consider the request under Class 3 procedures, which include additional public comment and the opportunity for a public hearing, with sworn testimony and cross-examination of witnesses.

Under State regulations 20.4.1.900 NMAC (incorporating 40 CFR §270.42(b)(6)(i)(B) and (C)), NMED can deny the request. NMED can also use Class 3 procedures if there is “significant public concern” or “the complex nature of the change requires the more extensive procedures of Class 3.”

Class 3 procedures also are required for a PMR that results “in greater than 25% increase in the facility’s container storage capacity,” which is also the effect of the PMR.

The Class 2 request is approved unless NMED makes a decision by May 3 or extends the deadline until June 4. NMED can approve the request, approve the request with changes, deny the request, or determine to use Class 3 procedures.

How can people submit comments by 5 p.m. on April 3, 2018?

Comments can be emailed to: Ricardo.maestas@state.nm.us.

Comments can be mailed to:

Mr. Ricardo Maestas
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505

Resources

The Permit Modification Request is at:

http://wipp.energy.gov/library/Information_Repository_A/Class_2_Permit_Modifications/18-0308_Redacted_enclosure.pdf

A sample comment in opposition is at:

nuclearactive.org/wp-content/uploads/2018/03/WIPP-Amt-of-Waste-PMR-public-comment-3-15-18.docx

NMED’s WIPP permit information is at:

<https://www.env.nm.gov/hazardous-waste/wipp/>

Information about seven other proposed WIPP expansions is at:

http://sric.org/nuclear/docs/2017_09_15_WIPP-expansion-proposals.pdf

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