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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

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RON CURRY
Secretary

SARAH COTTRELL
Deputy Secretary

July 12, 2010

**RE: SPECIFIC RESPONSE TO COMMENTS, CLASS 2 MODIFICATION REQUEST
WIPP HAZARDOUS WASTE FACILITY PERMIT
EPA I.D. NUMBER NM4890139088**

Dear Commenter:

On July 2, 2010, the New Mexico Environment Department (**NMED**) took final administrative action on a Class 2 permit modification request (**PMR**) to the Waste Isolation Pilot Plant (**WIPP**) Hazardous Waste Facility Permit. The Department of Energy Carlsbad Field Office and Washington TRU Solutions LLC (**the Permittees**) submitted this PMR to the Hazardous Waste Bureau on April 14, 2010, seeking to revise volatile organic compound concentrations of concern and update these values using current EPA IRIS data.

NMED approved this PMR with changes for the reasons specified in the attached response to comments. This Class 2 PMR was evaluated and processed in accordance with the requirements specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42(b)). It was subject to a 60-day public comment period running from April 19, 2010 through June 18, 2010, during which NMED received written specific comments from a total of six individuals and organizations. You are receiving this mailing because you provided public comment on this modification.

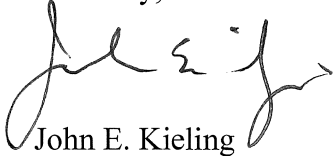
Attachment 1 lists all commenters and Attachment 2 incorporates NMED's specific response to all comments. Further information on this administrative action may be found on the NMED WIPP Information Page at <<http://www.nmenv.state.nm.us/wipp/>>.

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Thank you for your participation by submitting comments on these permit modification requests. Please contact Steve Zappe at (505) 476-6051 or via e-mail at <steve.zappe@state.nm.us> if you have further questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Kieling". The signature is fluid and cursive, with a long horizontal stroke at the end.

John E. Kieling
Manager
Permits Management Program

Attachments

cc: James Bearzi, HWB
Steve Zappe, HWB
David Moody, DOE/CBFO
Farok Sharif, Washington TRU Solutions LLC

Attachment 1
Commenter List

**Comments Received by NMED on WIPP Permit Modifications
 Modifications Submitted to NMED on:
 April 14, 2010
 Revise VOC Concentrations Class 2 PMR**

| | <u>Receipt Date</u> | <u>Author</u> | <u>Organization/Citizen</u> | <u># Pages</u> | | |
|---|---------------------|---------------|-----------------------------|---------------------------|---------------|----|
| A | 1 | 07-Apr-10 | Don Schrader, Chuck Hosking | Citizens | 1 | |
| B | 2 | 08-Jun-10 | Jerry Fox | Pecos Management Services | 2 | |
| C | 3 | 18-Jun-10 | * Joni Arends | CCNS | 1 | |
| D | 4 | 18-Jun-10 | * Penelope McMullin | Lorretto Community | 1 | |
| E | 5 | 18-Jun-10 | * Scott Kovac | Nuclear Watch NM | 2 | |
| F | 6 | 18-Jun-10 | * Don Hancock | SRIC | 7 | |
| | | | | 6 commenters | Total Pages = | 14 |

* Denotes electronic comment submitted

Attachment 2
Specific Response to Comments

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Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

| Comment Number | Commenter/ Affiliation | Topic Area | Commenter | Comment Summary | Response |
|-----------------------|--|------------------------|------------------|--|--|
| 1.1 | Don Schrader & Chuck Hosking, Citizens | Class 2 PMR - VOC Risk | A | Do not allow any increase in the permissible carbon tetrachloride levels in WIPP's operating permit to be renewed this year. | See response to Comment 6.5. |
| 1.2 | Don Schrader & Chuck Hosking, Citizens | Class 2 PMR - VOC Risk | A | Do not allow high-level waste disposal at WIPP. | High-level waste is prohibited from acceptance at WIPP by federal law and the Permit, and was not included or requested in the PMR. |
| 2.1 | Jerry Fox, Pecos Management Services | Class 2 PMR - VOC Risk | B | Notwithstanding the fact that the risk associated with the current volatile organic compound (VOC) levels being measured in the underground is calculated to be only 6.2×10^{-7} excess cancer related deaths compared to the permitted value of 1.0×10^{-5} , this Class 2 PMR is justified in order to correct the earlier assumptions regarding the expected carcinogenic content of the TRU waste deposited in WIPP and the resultant VOC repository concentrations at the point of measurement. | The excess cancer risk specified in the Permit is for a chronic occupational exposure over a 10-year period to a non-waste worker located at the surface, just downwind of the Exhaust Shaft. The commenter did not provide the calculations to support his conclusion, but may have assumed an exposure of less than 10 years, which is inconsistent with EPA methodology for determining excess cancer risk from a chronic exposure. |
| 2.2 | Jerry Fox, Pecos Management Services | Class 2 PMR - VOC Risk | B | The updated concentration expectations based upon current transuranic waste and VOC monitoring information and experience along with updated IRIS data provide a logical and scientifically acceptable basis for the Class 2 PMR. | See response to Comment 6.4. |
| 2.3 | Jerry Fox, Pecos Management Services | Class 2 PMR - VOC Risk | B | While not anticipated, future changes in experienced carcinogenic VOC concentrations and or EPA IRIS data could require another similar Class 2 PMR in which allowable concentrations are adjusted as needed while the calculated risk is maintained within the permitted value of 1.0×10^{-5} . | Comment noted. No response is required. |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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|-----------------------|---|---------------------------|------------------|---|---|
| 2.4 | Jerry Fox, Pecos Management Services | Class 2 PMR - VOC Risk | B | Given that the actual requirement is that the 1.0×10^{-5} risk value not be exceeded, PECOS believes that it is more appropriate that the Class 2 PMR be based directly on this risk value rather than individual VOC component concentrations. We note that the same data would be required and that sudden unexpected changes in the exhaust VOC data would still be noted and their risk impact evaluated as necessary. | The running annual average approach does not lend itself to the use of this alternate approach. The current approach simplifies determining compliance by comparing each VOC with its respective limit. |
| 2.5 | Jerry Fox, Pecos Management Services | Class 2 PMR - VOC Risk | B | The above comments notwithstanding, PECOS believes the Class 2 PMR is acceptable and reasonable as presented. | Comment noted. No response is required. |
| 3.1 | Joni Arends, Concerned Citizens for Nuclear Safety (CCNS) | Class 2 PMR - VOC Risk | C | We support the June 18, 2010 comments of the Southwest Research and Information Center. | See responses to individual SRIC comments below. |
| 3.2 | Joni Arends, CCNS | Class 2 PMR - VOC Risk | C | The Permittees submitted the permit modification as a Class 2 request. 40 CFR 270.42(b). We believe that the complexity of the request regarding reapportionment of risk is not appropriate as a class 2 modification, and at least that part of the request requires the New Mexico Environment Department to classify it as a Class 3 request or to deny the requested reapportionment of risk. | See response to Comment 6.4. |
| 4.1 | Penelope McMullen, Loretto Community | Class 2 PMR - VOC Risk | D | We support the June 18, 2010 comments of the Southwest Research and Information Center. | See responses to individual SRIC comments below. |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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| 4.2 | Penelope McMullen, Loretto Community | Class 2 PMR - VOC Risk | D | The Permittees submitted the permit modification as a Class 2 request. 40 CFR 270.42(b). We believe that the complexity of the request regarding reapportionment of risk is not appropriate as a class 2 modification, and at least that part of the request requires the New Mexico Environment Department to classify it as a Class 3 request or to deny the requested reapportionment of risk. | See response to Comment 6.4. |
| 5.1 | Scott Kovac, Nuclear Watch New Mexico (NWNM) | Class 2 PMR - VOC Risk | E | The Permittees submitted the permit modification as a Class 2 request. See 40 CFR 270.42(b). We believe that the complexity of the request regarding reapportionment of risk is not appropriate as a class 2 modification, and at least that part of the request requires the New Mexico Environment Department to classify it as a Class 3 request or to deny the requested reapportionment of risk. | See response to Comment 6.4. |
| 5.2 | Scott Kovac, NWNM | Class 2 PMR - VOC Risk | E | We request that the explosion/isolation wall for Panel 5 be built as soon as the panel is filled. This would protect the workers during the remaining waste emplacement activities. | The explosion-isolation wall was not proposed in the PMR and is beyond the scope of the PMR. However, NMED will include language requiring an explosion-isolation wall in the draft permit as changed as part of its Notice of Intent to Present Technical Testimony (NOI)) for the upcoming permit renewal hearing. |
| 5.3 | Scott Kovac, NWNM | Class 2 PMR - VOC Risk | E | We request that the current overpack activities for the waste streams containing high levels of carbon tetrachloride continue. | NMED's approval of the Permittees' temporary authorization (TA) request on April 14, 2010 included the requirement to overpack containers with high concentrations of carbon tetrachloride into standard waste boxes or ten drum overpacks in an effort to mitigate emissions. Upon issuance of NMED's final action on this PMR, the TA expires and the requirement to overpack will end. The Permittees will continue to be required to manage containers in a manner protective of human health and the environment. They may choose to continue overpacking these containers, as a component of their overall strategy to manage emissions. |
| 5.4 | Scott Kovac, NWNM | Class 2 PMR - VOC Risk | E | We request that carbon tetrachloride mitigation at the generator site continue to be explored. | Comment noted. No response is required. |
| 5.5 | Scott Kovac, NWNM | Class 2 PMR - VOC Risk | E | We request that the new regulatory limits for carbon tetrachloride be held to below 500 ppbv. | See response to Comment 6.5. |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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| 5.6 | Scott Kovac, NWNM | Class 2 PMR - VOC Risk | E | We are concerned that the reason indicated for this Permit Modification Request and the explanation why the modification is needed do not address the actual reason or need. Even at the public meeting in May 2010, the "What Prompted This Change" slide (number 4) does not mention the rising levels. We believe that if the carbon tetrachloride levels were not rising toward the regulatory limit, then this permit modification would not have been requested. If this PMR is needed because the carbon tet levels are about to exceed original limits that were set over a decade ago based on best estimates for a waste facility that had never been built before, then just say that, please. | In the Overview of the Permit Modification Request, the Permittees address the requirement to explain why the modification is needed beginning on page 2 and ending on page 11. At the top of page 4, the Permittees state, "Currently, the concentration of carbon tetrachloride is approaching its concentration of concern." The text and figures on pages 4 through 6 address rising carbon tetrachloride concentrations, and are a part of the basis for submitting the PMR. |
| 6.1 | Don Hancock, Southwest Research and Information Center (SRIC) | Class 2 PMR - VOC Risk | F | SRIC has expressed its concerns about the temporary authorization request that accompanied the modification request submitted on March 31, 2010, as well as the temporary authorization request submitted on April 12 with the current modification request. SRIC's letter of April 13, 2010 to Sarah Cottrell and Marcy Leavitt (which NMED received on that date) should be considered as part of SRIC's comments on this modification request. | NMED has considered the April 13, 2010 letter from SRIC to identify comments requiring a response. See Comment 6.2. |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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| 6.2 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | From SRIC's April 13, 2010 Letter on the temporary authorization [TA]: "SRIC acknowledges that there was a change in the EPA IRIS database related to carbon tetrachloride on March 31, 2010. The permittees request for a class 2 modification to change several of the VOC concentrations of concern in the permit should be considered. However, the public comment on that [PMR] should not be compromised by a TA approval that prejudices that public comment. NMED appropriately acknowledged that potential prejudice in its April 1 TA approval by including two additional requirements to limit the effective period of the TA and to prohibit waste streams with significant carbon tetrachloride emissions. NMED also stated that the TA approval 'does not prejudice final action on the PMR.' " | NMED's previous correspondence dated April 14, 2010 is accurately represented in this comment. No response required. |
| 6.3 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | SRIC also objects to approval of the permit modification request as submitted, because it does not meet the requirements for a class 2 modification. Thus, NMED must deny at least major parts of the request. | See response to specific comments below. |
| 6.4 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | 1. <u>At least a portion of the request is not appropriately classified as a class 2 modification and cannot be approved.</u> The request states that a class 2 modification is appropriate based on 40 CFR §270.42, Appendix I, Item A.4.b. at 2. SRIC strongly objects to a complex permit modification that substantially alters WIPP's operations and reapportions risk being considered as a class 2 request. Such a complex modification should be considered a class 3 modification. 40 CFR §270.42(d)(2)(iii). | NMED concurs that the reapportionment of risk component of the PMR requires complex calculations and doesn't necessarily fit the basis cited in the PMR as qualifying for a Class 2 PMR. However, reapportionment of risk would not substantially alter the facility or its operations as the commenter states in referencing 40 CFR §270.42(d)(2)(iii). Rather than invoking §270.42(b)(6)(i)(C) at this time (i.e., determine that the PMR follow the procedures of §270.42(c) for a Class 3 due to the complex nature of the change), NMED is approving a less complex portion of the PMR as a Class 2. Additionally, because NMED will include this modification in the draft permit as changed in its NOI for the upcoming permit renewal public hearing, these issues may be raised by one or more parties during that hearing scheduled for August 2010. |

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| 6.5 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | SRIC does acknowledge that changing some requirements based on the Environmental Protection Agency (EPA) revisions in its IRIS database could be considered a class 2 modification. As the request states, on March 31, 2010, the EPA changed the inhalation unit risk for carbon tetrachloride from 1.5 E-05 m3/μg to 6.0 E-06 m3/μg. at 2. An increase in the carbon tetrachloride concentration of concern in Table IV.F.2.c can be justified based on that change in the unit risk factor. However, the requested increase of ten times from the existing level of 165 parts per billion volume (ppbv) to 1,660 ppbv is not appropriate based on the IRIS database change, as the permittees acknowledge in the modification request by proposing other adjustments based on "reapportioning" risk. | NMED agrees with the commenter, and is limiting the modification in the PMR to the 2.5 reduction of inhalation cancer risk for carbon tetrachloride in the permit, raising the limit in Table IV.F.2.c from 165 ppbv to 412.5 ppbv. NMED is not incorporating further changes to the concentrations of concern for carbon tetrachloride or other VOCs based upon reapportionment of risk as was proposed in the PMR. See also response to Comment 6.4. |
| 6.6 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | 2. <u>The request does not adequately justify the basis for reapportioning risk.</u> The modification request states: "The Permittees have concluded, based on actual repository monitoring data and a projection of the VOCs associated with future waste shipments that the portion of the risk assigned to carbon tetrachloride in the current Permit is underestimated and inconsistent with the actual data. Therefore the risk for each VOC should be revised based on these data." at 4. | This portion of the comment does not require a response. |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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| 6.7 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | <p>However, that conclusion is not supported by adequate evidence. The request does not present or reference any document that has all of the 11 years+ of actual repository VOC monitoring data, but includes only a one-year period ending on December 22, 2009 in Table 1, without demonstrating that it is representative of actual monitoring data. SRIC repeatedly requested that the permittees provide comprehensive data and analysis of the VOCs during the lifetime of operations, but they have not done so. Page 8 of the request describes a link on the WIPP homepage that is supposed to provide the VOC data from the repository monitoring program, but no information is provided for the period of July to December 2006. For other time periods, in some cases summary data is provided and in other cases more extensive data. SRIC cannot compile a comprehensive 11-year analysis, since the data is not available. But a cursory review of some of the data shows that the one-year period in Table 1 is not representative of the 11 years of operations.</p> | <p>NMED does not agree that the Permittees must demonstrate that the 2009 repository VOC monitoring data is representative of the prior 11 years of operations. Anomalous levels of carbon tetrachloride (e.g., individual samples exceeding 75 ppbv or a significant increase in its running annual average concentration) didn't occur until late 2008, and therefore the Permittees' one year interval ending December 22, 2009 is not an inappropriate time frame to evaluate carbon tetrachloride levels.</p> |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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|-----------------------|-------------------------------|------------------------|------------------|--|---|
| 6.8 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | For the period of July 1, 2002 to June 30, 2003, there were 0 detections of carbon tetrachloride, while there were numerous detections of toluene, methylene chloride, and 1,1,1-trichloroethane. For the following year, July 2003 to June 2004, by far the most detections were for toluene, which also had the highest maximum detected value and the highest detection average. In that year, methylene chloride and 1,1,1-trichloroethane also had more detections and higher maximum detected values than carbon tetrachloride. SRIC is not arguing that those two years are representative of the entire history of WIPP's operations, but neither should the permittees be allowed to pick one year as being representative and the basis for calculating risk, as they do in tables 1, 2 and 3 of the request. Thus, the permittees have not provided adequate data to support reapportioning risk, and the requested reapportionment must be denied. | At no time did the cited detections of toluene, methylene chloride, or 1,1,1-trichloroethane approach their respective concentrations of concern, regardless of the number of detections per year. The commenter has not sufficiently explained what would constitute "adequate data" to support any reapportionment. NMED is not approving the Permittees' request to reapportion risk. |
| 6.9 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | Further, there is no projection of the amounts of VOCs in the future provided in the request, so there is no basis upon which to base any decisions regarding possible forthcoming shipments. Once again, risk cannot be reapportioned based on an unsupported conclusion about future shipments. | NMED's initial apportionment of risk among the original six carcinogenic VOCs was not based upon assumptions about future inventory. Instead, it was based on limiting three of the VOCs to concentration limits not to exceed an acute exposure limit to underground workers in the event of a roof fall in a panel. The remaining three VOC limits were established by apportioning the remaining excess cancer risk evenly such that the cumulative risk from all six VOCs did not exceed an excess cancer risk of 10^{-5} resulting from an occupational exposure to a non-waste worker at the surface. Any reasonable reapportionment of excess cancer risk from carcinogenic VOCs that does not exceed this 10^{-5} occupational exposure limit would be acceptable. NMED is not approving the Permittees' request to reapportion risk. |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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|-----------------------|-------------------------------|------------------------|------------------|--|--|
| 6.10 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | Moreover, providing and evaluating all of that historic and future projection data would be voluminous and complicated, and not consistent with the requirements of a class 2 modification. Thus, the request does not support the changes requested for reapportioning risk and those changes must be denied. If risk allocations that were established through the public hearing on the original permit application are to be changed and risk reapportioned, it should be done through another public hearing. | NMED does not believe it necessary to compile all historic and future projection data as proposed by the commenter. See response to Comments 6.4, 6.7, 6.8, and 6.9. Nevertheless, NMED is not approving the Permittees' request to reapportion risk. |
| 6.11 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | 3. <u>The request includes information about toluene that is not consistent with current scientific data.</u> In Tables 1, 2, and 3, the request lists toluene as a non-carcinogen. That classification was made by EPA in 1994, based on two epidemiological studies that "were limited due to the size of the study population and lack of historical monitoring data." http://www.scorecard.org/chemical-profiles/html/toluene.html . However, current scientific evidence in 2010 by the President's Cancer Panel states that carbon tetrachloride, methylene chloride, and toluene should all be classified as suspected carcinogens. http://deainfo.nci.nih.gov/advisory/pcp/pcp08-09rpt/PCP_Report_08-09_508.pdf at A-43 (attached). SRIC strongly objects to toluene being classified as a non-carcinogen as a basis for calculating risk. Instead, overall cancer risk calculations in the permit should include toluene as a carcinogen. Further, toluene's classification is another example of how complicated matters included in the request are not appropriate for a class 2 modification. | NMED uses EPA's human health toxicity values as identified in their Integrated Risk Information System (IRIS). The IRIS Quickview page for toluene indicates the last significant revision and review occurred September 23, 2005. Under the heading <i>Carcinogenicity Assessment for Lifetime Exposure</i> and subheading <i>Weight-of-Evidence Narrative</i> , the IRIS Quickview states, "Under the Guidelines for Carcinogen Risk Assessment, there is inadequate information to assess the carcinogenic potential of toluene because studies of humans chronically exposed to toluene are inconclusive, toluene was not carcinogenic in adequate inhalation cancer bioassays of rates and mice exposed for life, and increased incidences of mammary cancer and leukemia were reported in a lifetime rat oral bioassay at a dose level of 500 mg/kg-day but not at 800 mg/kg-day." Until EPA reassesses toluene and determines it is carcinogenic, NMED will continue to consider it as a non-carcinogen based upon the IRIS assignment of a Reference Concentration for Chronic Inhalation Exposure (RfC). |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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|-----------------------|-------------------------------|------------------------|------------------|---|--|
| 6.12 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | <p>4. <u>The request is premised on carbon tetrachloride approaching the concentration of concern of 165 ppbv, which may not occur.</u></p> <p>SRIC has long been concerned about the permittees apparent lackadaisical attitude about the rising carbon tetrachloride levels until they discovered the error in calculations, which was reported to NMED on November 17, 2009. The permittees continued to ship containers with significant amounts of carbon tetrachloride, rather than curtailing such shipments. SRIC emphasized on numerous occasions the need to stop shipments of high carbon tetrachloride wastes, but the permittees ignored that repeated commonsense suggestion. Thus, to a great extent, the rising carbon tetrachloride levels are a self-imposed problem that could have been avoided. If shipments with large amounts of carbon tetrachloride had been stopped, then the effectiveness of the various measures that have been taken in the WIPP underground could have been better assessed.</p> | Comment noted. No response is required. |
| 6.13 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | <p>In any case, if additional amounts of carbon tetrachloride had not been shipped to panel 5 since November 2009, there would have been substantially less carbon tetrachloride at WIPP. Lesser amounts of carbon tetrachloride could have resulted in the running annual average not exceeding the 165 ppbv level, and the modification request and temporary authorization would not be needed and likely would not even have been submitted.</p> | The running annual average is a lagging average, affected by all measurements over the course of the year. Thus, the running annual average would increase in response to adding new higher-than-average measurements as well as removing lower-than-average measurements older than one year. |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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| 6.14 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | <p>Because of the continued shipments with substantial amounts of carbon tetrachloride, additional methods were undertaken to reduce emissions and they have apparently had an effect, as the carbon tetrachloride amounts have not exceeded 165 ppbv running annual average. Thus, it is not clearly established that the modification to raise the concentrations of concerns is needed.</p> <p>SRIC has not opposed the various efforts to reduce emission – additional bulkheads and installing the GAC system in panel 4. SRIC also has advocated to the Idaho National Laboratory (INL) that it should take additional efforts to reduce the shipments of high carbon tetrachloride wastes. Further, SRIC has not opposed the use of TDOPs as overpacks over the past five weeks, as required by the Temporary Authorization of April 14, 2010.</p> | The running annual average continues to increase, albeit at a slower rate. See response to Comment 6.13. |
| 6.15 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | <p>The permittees efforts to have the carbon tetrachloride concentration of concern raised would allow increased amounts of carbon tetrachloride at WIPP, which, in turn, reduces protection of public health and the environment. Therefore, SRIC believes that some of those methods, such as overpacking high carbon tetrachloride containers, should continue to be used, regardless of the decision on the modification request. Further, SRIC continues to advocate that the explosion-isolation wall be considered. SRIC believes that the installation of the explosion-isolation wall should be required when panel 5 is filled. Such a wall would dramatically diminish or eliminate carbon tetrachloride emissions from panel 5 and avoid the need for further measures to reduce emissions from that panel.</p> | <p>Increasing the concentration of concern for carbon tetrachloride from 165 ppbv to 412.5 ppbv will allow increased amounts of carbon tetrachloride at WIPP. However, this will not reduce protection of human health and the environment, because the effect will be to maintain the same excess cancer risk as before. This increase is linked solely to EPA changing the inhalation risk factor for carbon tetrachloride from 1.5 E-05 m3/μg to 6.0 E-06 m3/μg, resulting in a risk reduction by a factor of 2.5.</p> <p>See also response to Comments 5.2 and 5.3.</p> |

Response to Comments Received By NMED on the WIPP Class 2 Permit Modification Request

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| 6.16 | Don Hancock, SRIC | Class 2 PMR - VOC Risk | F | <p><u>Conclusion:</u> SRIC agrees that there is justification, because of the changed inhalation unit risk, to raise the concentration of concern for carbon tetrachloride above 165 ppbv, though not to the requested level of 1,660 ppbv. However, the reapportionment of risk for the VOCs has not been adequately supported and cannot be approved. NMED should continue to require use of overpacks for containers with significant amounts of carbon tetrachloride, and it should require installation of the explosion-isolation wall when panel 5 is filled.</p> | See response to Comments 6.5, 6.10, and 6.15. |