

## II. MODULE II - GENERAL FACILITY CONDITIONS

### II.A. DESIGN AND OPERATION OF FACILITY

The Permittees shall design, construct, maintain, and operate WIPP to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of transuranic (**TRU**) mixed waste or mixed waste constituents to air, soil, groundwater, or surface water which could threaten human health or the environment, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.31).

### II.B. WASTE SOURCES

#### II.B.1. Off-site Wastes

The Permittees may receive off-site TRU mixed waste in compliance with the requirements and conditions specified in this Permit. The Permittees may only receive TRU mixed waste from those sites which comply with the applicable requirements of the Waste Analysis Plan (**WAP**) specified in Permit Condition [II.C.1](#) and Permit Attachment B, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.13(a)) and as verified through the Permittees' Audit and Surveillance Program specified in Permit Condition [II.C.2](#).

#### II.B.2. Required Notification to Off-Site Sources

Before the Permittees receive TRU mixed waste from an off-site source for the first time, they shall inform the generator/storage site in writing that they have the appropriate Permits for, and will accept, the waste the generator/storage site is shipping. The Permittees shall keep a copy of this written notice as part of the operating record, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.12(b)).

### II.C. GENERAL WASTE ANALYSIS

#### II.C.1. Waste Analysis Plan

The Permittees shall not manage, store, or dispose TRU mixed waste at WIPP which fails to meet the characterization requirements of 20.4.1.500 NMAC (incorporating 40 CFR §264.13), as specified by this Permit.

The Permittees' WAP, as specified in Permit Attachment B, is approved subject to the following conditions:

##### II.C.1.a. Implementation of Requirements

- i. The Permittees shall require that generator/storage sites implement applicable waste characterization

requirements of the WAP, specified in Permit Attachment B, prior to the Permittees' receipt of TRU mixed waste at WIPP.

- ii. The Permittees shall implement applicable waste confirmation requirements of the WAP, specified in Permit Attachment B7, prior to shipment of TRU mixed waste from generator/storage sites to WIPP.

II.C.1.b. Waste Characterization Sampling and Analytical Methods

The Permittees shall require that generator/storage sites and Permittee approved laboratories comply with the applicable method requirements, quality control, equipment testing, inspection, maintenance, and equipment calibration and frequency standards for the procedures specified in Permit Attachment B1 (Waste Characterization Sampling Methods). For all analytical methods for waste analysis not otherwise specified in Permit Attachment B1, the Permittees shall require the generator/storage sites and Permittee approved laboratories to use "*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*", EPA Publication SW-846. Updates to EPA Publication SW-846 shall be incorporated into this permit by reference. Sites may use these new or revised methods once they have demonstrated that the results from the new methods will be at least equivalent to the results from the currently used methods.

II.C.1.c. Statistical Methods used in Sampling and Analysis

The Permittees shall require that generator/storage sites use the methods for statistically selecting retrievably stored and newly-generated TRU mixed waste containers for volatile organic compounds (**VOCs**), semivolatile organic compounds (**SVOCs**), and total metals analysis, and establishing upper confidence limits, as specified in Permit Attachment B2 (Statistical Methods Used in Sampling and Analysis).

II.C.1.d. Quality Assurance Objectives

The Permittees shall require that all waste characterization activities used by generator/storage sites and Permittee approved laboratories comply with the appropriate quality

assurance objectives (**QAOS**) specified in Permit Attachment B3 (Quality Assurance Objectives and Data Validation Techniques for Waste Characterization Sampling and Analytical Methods). The Permittees shall require generator/storage sites to review, validate, and verify all analytical data; reconcile analytical results with data quality objectives (**DQOs**); satisfy data reporting requirements; and identify, document, and report all nonconformances and operational variances in compliance with Permit Attachment B3.

II.C.1.e. Acceptable Knowledge

The Permittees shall require generator/storage sites to assemble acceptable knowledge documentation and re-evaluate acceptable knowledge determinations, and shall audit (as specified in Permit Condition II.C.2) all aspects of the acceptable knowledge waste characterization process as specified in Permit Attachment B4 (TRU Mixed Waste Characterization Using Acceptable Knowledge).

II.C.1.f. Quality Assurance

The Permittees shall require each generator/storage site and Permittee approved laboratory to develop and implement a quality assurance project plan (**QAPjP**) which demonstrates compliance with, and implementation of, applicable requirements of the WAP, Permit Attachment B, as specified in Permit Attachment B5 (Quality Assurance Project Plan Requirements).

II.C.1.g. WIPP Waste Information System (**WWIS**) Database

The Permittees shall provide the Secretary access to the WWIS database as necessary to determine compliance with the WAP. The WWIS shall meet all requirements presented in Section B-5a(1) of the WAP, Permit Attachment B, prior to acceptance of TRU mixed waste. The Secretary's access to the WWIS shall be direct, read-only (via modem or Internet) to all query and reporting functions of the Characterization, Certification, Shipping, and Inventory modules of the WWIS database.

Beginning on December 31, 2005, the Permittees instituted a public database containing certain information from the WWIS. The Permittees shall

continue to provide such public access through the WIPP Home Page at <<http://www.wipp.energy.gov>>.

II.C.2. Audit and Surveillance Program

The Permittees shall not manage, store, or dispose TRU mixed waste at WIPP from a generator/storage site until the following conditions have been met as necessary for the Secretary to determine that the applicable characterization requirements of Permit Condition [II.C.1](#) have been implemented:

II.C.2.a. Requirement to Audit

The Permittees shall demonstrate to the Secretary that the generator/storage sites and Permittee approved laboratories have implemented and comply with applicable requirements of the WAP by conducting audits as specified in Permit Attachment B, Section B-5a(3), and Permit Attachment B6 (Waste Isolation Pilot Plant Permittees' Audit and Surveillance Program), and as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.13).

II.C.2.b. Observation of Audit

The Secretary may observe such audits as necessary to validate the implementation of and compliance with applicable WAP requirements at each generator/storage site and Permittee approved laboratory. The Permittees shall provide the Secretary with a current audit schedule on a monthly basis and notify the Secretary no later than thirty (30) calendar days prior to each audit.

II.C.2.c. Final Audit Report

The Permittees shall provide the Secretary a final audit report as specified in Permit Attachment B6, and within five (5) calendar days of submittal, post a link to the final audit report transmittal letter on the WIPP Home Page and inform those on the e-mail notification list. The final audit report shall include all information specified in Permit Attachment B6, Section B6-4, and:

- i. A detailed description of all corrective actions and the resolution of any corrective action applicable to WAP requirements, including re-audits if required;

- ii. All documentation necessary for the Secretary to determine if the corrective action was resolved.

II.C.2.d. Secretary Notification of Approval

The Secretary shall approve the Permittees' final audit report by written notification to the Permittees that the applicable characterization requirements of the WAP at a generator/storage site and or Permittee approved laboratory have been implemented.

II.C.3. Treatment, Storage, and Disposal Facility Waste Acceptance Criteria (TSDF-WAC)

The Permittees shall not accept TRU mixed wastes at WIPP for storage, management, or disposal which fail to meet the treatment, storage, and disposal facility waste acceptance criteria as presented in Permit Conditions [II.C.3.a](#) through [II.C.3.j](#) of this Permit.

II.C.3.a. Liquid

Liquid waste is not acceptable at WIPP. Liquid in the quantities delineated below is acceptable.

- Observable liquid shall be no more than 1 percent by volume of the outermost container at the time of radiography or visual examination.
- Internal containers with more than 60 milliliters or 3 percent by volume observable liquid, whichever is greater, are prohibited.
- Containers with Hazardous Waste Number U134 assigned shall have no observable liquid.
- Overpacking the outermost container that was examined during radiography or visual examination or redistributing untreated liquid within the container shall not be used to meet the liquid volume limits.

II.C.3.b. Pyrophoric Materials

Non-radionuclide pyrophoric materials, such as elemental potassium, are not acceptable at WIPP.

II.C.3.c. Non-mixed Hazardous Wastes

Hazardous wastes not occurring as co-contaminants with TRU wastes (non-mixed hazardous wastes) are not acceptable at WIPP.

II.C.3.d. Chemical Incompatibility

Wastes incompatible with backfill, seal and panel closures materials, container and packaging materials, shipping container materials, or other wastes are not acceptable at WIPP.

II.C.3.e. Explosives and Compressed Gases

Wastes containing explosives or compressed gases are not acceptable at WIPP.

II.C.3.f. PCB Waste

Wastes with polychlorinated biphenyls (**PCBs**) not authorized under an EPA PCB waste disposal authorization are not acceptable at WIPP.

II.C.3.g. Ignitable, Corrosive, and Reactive Wastes

Wastes exhibiting the characteristic of ignitability, corrosivity, or reactivity (EPA Hazardous Waste Numbers of D001, D002, or D003) are not acceptable at WIPP.

II.C.3.h. Excluded Waste

TRU mixed waste that has ever been managed as high-level waste and waste from tanks specified in Permit Attachment B are not acceptable at WIPP unless specifically approved through a Class 3 permit modification. Such wastes are listed in Table [II.C.3.h](#) below.

<b>Table II.C.3.h - Additional Approved Waste Streams</b>	
<b>Date Class 3 Permit Modification Request Approved</b>	<b>Description of Waste Stream</b>

II.C.3.i. Unconfirmed Waste

Any waste container that has not been subject to confirmation as specified in Permit Attachment B7 is not acceptable at WIPP. This prohibition shall not apply to waste containers accepted before confirmation activities were required by this Permit.

II.C.3.j. Waste Stream Profiles

Any waste container from a waste stream which has not been preceded by an appropriate, certified Waste Stream Profile Form (Attachment B, Figure B-1) is not acceptable at WIPP.

II.C.4. Permitted TRU Mixed Wastes

The Permittees shall accept containers which contain only those TRU mixed wastes listed in the Hazardous Waste Permit Application Part A, Permit Attachment O. Allowable TRU mixed wastes are specified in Table [II.C.4](#) below. Some of the waste may also be identified by unique state hazardous waste codes. These wastes are acceptable at WIPP as long as the TSDF-WAC are met:

<b>Table II.C.4 - Permitted TRU Mixed Wastes</b>		
<b>EPA Hazardous Waste Code</b>	<b>Hazardous Waste<sup>1</sup></b>	<b>Chemical Abstract Number</b>
F001	<u>Spent halogenated solvents:</u> Tetrachloroethylene Trichloroethylene Methylene chloride 1,1,1-Trichloroethane Carbon tetrachloride Chlorinated fluorocarbons	127-18-4 79-01-6 75-09-2 71-55-6 56-23-5 NA
F002	<u>Spent halogenated solvents:</u> Tetrachloroethylene Methylene chloride Trichloroethylene 1,1,1-Trichloroethane Chlorobenzene 1,1,2-Trichloro-1,2,2-trifluoroethane Ortho-dichlorobenzene Trichlorofluoromethane 1,1,2-Trichloroethane	127-18-4 75-09-2 79-01-6 71-55-6 108-90-7 76-13-1 95-50-1 75-69-4 79-00-5

<b>Table II.C.4 - Permitted TRU Mixed Wastes</b>		
<b>EPA Hazardous Waste Code</b>	<b>Hazardous Waste<sup>1</sup></b>	<b>Chemical Abstract Number</b>
F003	<u>Spent non-halogenated solvents:</u> Xylene Acetone Ethyl acetate Ethyl benzene Ethyl ether Methyl isobutyl ketone n-Butyl alcohol Cyclohexanone Methanol	1330-20-7 67-64-1 141-78-6 100-41-4 60-29-7 108-10-1 71-36-3 108-94-1 67-56-1
F004	<u>Spent non-halogenated solvents:</u> Cresols and cresylic acid Nitrobenzene	1319-77-3 98-95-3
F005	<u>Spent non-halogenated solvents:</u> Toluene Methyl ethyl ketone Carbon disulfide Isobutanol Pyridine Benzene 2-Ethoxyethanol 2-Nitropropane	108-88-3 78-93-3 75-15-0 78-83-1 110-86-1 71-43-2 110-80-5 79-46-9
F006	<u>Wastewater treatment sludges from electroplating operations:</u> Cadmium Chromium Cyanide Lead Nickel Silver	7440-43-9 7440-47-3 57-12-5 7439-92-1 7440-02-0 7440-22-4
F007	<u>Spent cyanide plating bath solutions from electroplating operations:</u> See F006	
F009	<u>Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process:</u> See F006	
D004	Arsenic	7440-38-2
D005	Barium	7440-39-3

<b>Table II.C.4 - Permitted TRU Mixed Wastes</b>		
<b>EPA Hazardous Waste Code</b>	<b>Hazardous Waste<sup>1</sup></b>	<b>Chemical Abstract Number</b>
D006	Cadmium	7440-43-9
D007	Chromium	7440-47-3
D008	Lead	7439-92-1
D009	Mercury	7439-97-6
D010	Selenium	7782-49-2
D011	Silver	7440-22-4
D018	Benzene	71-43-2
D019	Carbon Tetrachloride	56-23-5
D021	Chlorobenzene	108-90-7
D022	Chloroform	67-66-3
D026	Cresol	1319-77-3
D027	1,4-Dichlorobenzene	106-46-7
D028	1,2-Dichloroethane	107-06-2
D029	1,1-Dichloroethylene	75-35-4
D030	2,4-Dinitrotoluene	121-14-2
D032	Hexachlorobenzene	118-74-1
D033	Hexachlorobutadiene	87-68-3
D034	Hexachloroethane	67-72-1
D035	Methyl ethyl ketone	78-93-3
D036	Nitrobenzene	98-95-3
D037	Pentachlorophenol	87-86-5
D038	Pyridine	110-86-1
D039	Tetrachloroethylene	127-18-4
D040	Trichloroethylene	79-01-6
D043	Vinyl chloride	75-01-4
P015	Beryllium powder (H)	7440-41-7
P030	Cyanides (soluble cyanide salts), not otherwise specified (H)	N/A
P098	Potassium Cyanide (H)	151-50-8
P099	Potassium Silver Cyanide (H)	506-61-6

<b>Table II.C.4 - Permitted TRU Mixed Wastes</b>		
<b>EPA Hazardous Waste Code</b>	<b>Hazardous Waste<sup>1</sup></b>	<b>Chemical Abstract Number</b>
P106	Sodium Cyanide (H)	143-33-9
P120	Vanadium Pentoxide (H)	1314-62-1
U002	Acetone (I)	67-64-1
U003	Acetonitrile (I,T)	75-05-8
U019	Benzene (I,T)	71-43-2
U037	Chlorobenzene (T)	108-90-7
U043	Vinyl Chloride (T)	75-01-4
U044	Chloroform (T)	67-66-3
U052	Cresol (T)	1319-77-3
U070	1,2-Dichlorobenzene (T)	95-50-1
U072	1,4-Dichlorobenzene (T)	106-46-7
U078	1,1-Dichloroethylene (T)	75-35-4
U079	1,2-Dichloroethylene (T)	156-60-5
U103	Dimethyl Sulfate (T)	77-78-1
U105	2,4-Dinitrotoluene (T)	121-14-2
U108	1,4-Dioxane (T)	123-91-1
U122	Formaldehyde (T)	50-00-0
U133	Hydrazine (R,T)	302-01-2
U134	Hydrofluoric Acid (C,T)	7664-39-3
U151	Mercury (T)	7439-97-6
U154	Methanol (I)	67-56-1
U159	Methyl Ethyl Ketone (I,T)	78-93-3
U196	Pyridine (T)	110-86-1
U209	1,1,2,2-Tetrachloroethane (T)	79-34-5
U210	Tetrachloroethylene (T)	127-18-4
U220	Toluene (T)	108-88-3
U226	1,1,1-Trichloroethane (T)	71-55-6
U228	Trichloroethylene (T)	79-01-6
U239	Xylene (I,T)	1330-20-7

<sup>1</sup> Designations in parentheses for P- and U-coded wastes reflect the basis for the listing and are as follows:

H - acute toxicity  
T - toxicity  
R - reactivity  
I - ignitability  
C - corrosivity

Acceptance of U-coded wastes listed for reactivity, ignitability, or corrosivity characteristics is contingent upon a demonstration that the wastes meet the requirements specified in Permit Condition [II.C.3.g](#).

#### II.C.5. Derived Waste

Any WIPP-generated waste derived from adequately characterized, WIPP-accepted TRU mixed waste generated at an off-site facility (*derived waste*) does not need to be additionally characterized for hazardous waste components if the Permittees use the generator's characterization data and knowledge of the processes at the WIPP facility to identify and characterize derived waste. Derived waste containers shall be managed according to Permit Attachment M1, Section M1-1d(1), and meet all TSDF waste acceptance criteria in Permit Condition [II.C.3](#) prior to disposal at WIPP.

#### II.D. SECURITY

In order to prevent the unknowing entry, and minimize the possibility of unauthorized entry, of persons or livestock onto the active portion of the facility, the Permittees shall comply with the security provisions specified in Permit Attachment C (Security), as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.14).

#### II.E. GENERAL INSPECTION REQUIREMENTS

##### II.E.1. Inspection Schedule

The Permittees shall implement the inspection schedule specified in Permit Attachment D (Inspections) to detect any malfunctions and deteriorations, operator errors, and discharges, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.15(b)).

##### II.E.2. Inspection Log Forms

The Permittees shall use the inspection logbooks and forms as specified in Permit Attachment D (Inspection Schedule/Procedures). Original copies of these completed forms are maintained in the Operating Record. The Permittees shall record the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.15(d)).

II.E.3. Inspection Frequency

The Permittees shall inspect monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment at the frequency specified in Tables D-1 and D-2 of Permit Attachment D, and as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.15(b)).

II.E.4. Inspection Remediation

The Permittees shall remedy any deterioration or malfunction of equipment or structures which an inspection reveals, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.15(c)).

II.E.5. Inspection Records

The Permittees shall maintain inspection logbooks and forms in the operating record for at least three (3) years from the date of inspection, as required by 20.4.1.500 NMAC (incorporating 40 CFR §§264.15(d) and 264.73(b)(5)).

II.F. PERSONNEL TRAINING

The Permittees shall conduct personnel training, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.16).

II.F.1. Personnel Training Content

The personnel training program shall include the requirements specified in Permit Attachment H (Personnel Training) and Permit Attachment H2 (Training Course and Qualification/Certification Card Outlines), as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.16).

II.F.2. Personnel Training Requirements

The Permittees shall train all persons involved in the management of mixed and hazardous waste in procedures relevant to the positions in which they are employed, as specified in Permit Attachment H1 (RCRA Hazardous Waste Management Job Titles and Descriptions), and as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.16).

II.F.3. Personnel Training Records

The Permittees shall maintain training documents and records, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.16(d) and (e)).

II.G. GENERAL REQUIREMENTS FOR HANDLING IGNITABLE, CORROSIVE, REACTIVE, OR INCOMPATIBLE WASTES

The Permittees shall not manage, store or dispose of ignitable, corrosive, reactive, or incompatible wastes, as defined in 20.4.1.200 NMAC (incorporating 40 CFR §§261.21, 261.22, and 261.23) and 20.4.1.500 NMAC (incorporating 40 CFR §264 Appendix V) within the permitted units. The Permittees shall comply with the procedures to prevent acceptance of ignitable, corrosive, reactive, and incompatible waste specified in Permit Conditions [II.C.1](#) and [II.C.3](#).

II.H. PREPAREDNESS AND PREVENTION

II.H.1. Required Equipment

The Permittees shall maintain at the facility the equipment specified in the Contingency Plan, Permit Attachment F (RCRA Contingency Plan), as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.32.)

II.H.2. Testing and Maintenance of Equipment

The Permittees shall test and maintain the equipment specified in Permit Condition [II.H.1](#), as necessary, to assure its proper operation in time of emergency, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.33).

II.H.3. Access to Communications or Alarm System

The Permittees shall maintain access to the communications or alarm system, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.34).

II.H.4. Required Aisle Space

The Permittees shall maintain aisle space in the WHB Unit and Parking Area Unit (Module III) to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.35).

II.H.5. Arrangements with Local Authorities

II.H.5.a. Parties to Arrangements

The Permittees shall maintain preparedness and prevention arrangements with state and local authorities, other mining operations, contractors, and other governmental agencies specified in Permit Attachment F, Section F-6, as required by

20.4.1.500 NMAC (incorporating 40 CFR §§264.37(a) and 264.52(c)). If state or local authorities, other mining operations, contractors, or other governmental agencies decline to enter into preparedness and prevention arrangements with the Permittees, the Permittees shall document this refusal in the operating record, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.37(b)).

II.H.5.b. Coordination Agreements

As specified in Section F-6 of Permit Attachment F, these arrangements shall be either Memoranda of Understanding (**MOU**) or Mutual Aid Agreements (**MAA**) between the Permittees and the off-site cooperating agencies, and shall include the elements required by 20.4.1.500 NMAC (incorporating 40 CFR §264.37(a)). Copies and descriptions of these MOUs and agreements shall be maintained at the facility in the operating record.

II.I. CONTINGENCY PLAN

II.I.1. Implementation of Plan

The Permittees shall immediately implement the Contingency Plan as specified in Permit Attachment F whenever there is a fire, explosion, or release of mixed or hazardous waste or hazardous waste constituents which could threaten human health or the environment, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.51(b)).

II.I.2. Copies of Plan

The Permittees shall maintain copies of the Contingency Plan and all revisions and amendments to the Contingency Plan as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.53). The Permittees shall provide copies of the current Contingency Plan and all revisions to the Contingency Plan through an electronic controlled document distribution system or in appropriate controlled-document locations at the facility, and to the Secretary and all entities with which the Permittees have emergency MOUs or MAAs, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.53(b)). The Permittees shall maintain at least one current controlled-document paper copy of the Contingency Plan at the facility in a location readily accessible to the Emergency Coordinator specified in Permit Condition [II.I.4](#).

II.I.3. Amendments to Plan

The Permittees shall review and immediately amend, if necessary, the Contingency Plan, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.54).

II.I.4. Emergency Coordinator

An Emergency Coordinator as specified in Table F-2 of Permit Attachment F shall be available at all times in case of an emergency. The Emergency Coordinator shall be thoroughly familiar with the Contingency Plan and shall have the authority to commit the resources needed to implement the Contingency Plan, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.55). In the event of an imminent or actual emergency, the Emergency Coordinator shall implement the requirements of 20.4.1.500 NMAC (incorporating 40 CFR §264.56).

II.J. MANIFEST SYSTEM

The Permittees shall comply with the manifest requirements of 20.4.1.500 NMAC (incorporating 40 CFR §§264.71 and 264.72). The Permittees shall not accept for storage or disposal any mixed waste from an off-site source without an accompanying manifest.

II.K. RECORDKEEPING AND REPORTING

In addition to the recordkeeping and reporting requirements specified elsewhere in this Permit, the Permittees shall comply with the following conditions:

II.K.1. Operating Record

The Permittees shall maintain a written operating record at the facility, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.73(a)). The written operating record shall include all information required under 20.4.1.500 NMAC (incorporating 40 CFR §264.73(b)) subject to the limitations on the storage of classified information as discussed in Permit Attachment B-1c. Unless specifically prohibited by this Permit, an electronic record that cannot be altered by the user and capable of producing a paper copy shall be deemed to be a written record. The Permittees shall maintain the operating record until closure of the facility.

II.K.2. Biennial Report

The Permittees shall submit to the Secretary a biennial report, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.75).

II.L. GENERAL CLOSURE REQUIREMENTS

II.L.1. Performance Standard

The Permittees shall close the facility as specified in the Closure Plan, Permit Attachment I (Closure Plan), and as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.111).

II.L.2. Amendment to Closure Plan

The Permittees shall amend the Closure Plan, Permit Attachment I, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.112(c)), whenever necessary.

II.L.3. Notification of Closure

The Permittees shall notify the Secretary in writing at least sixty (60) calendar days prior to the date on which they expect to begin partial closure, i.e., closure of an Underground Hazardous Waste Disposal Unit (**Underground HWDU**), or final closure of the facility as required by 20.4.1.500 NMAC (incorporating 40 CFR §§264.112(d) and 264.601).

II.L.4. Time Allowed For Closure

II.L.4.a. Partial Closure

Upon completion of disposal operations in an Underground HWDU, the Permittees shall complete partial closure activities as specified in the Closure Plan, Permit Attachment I, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.113).

II.L.4.b. Final Facility Closure

After receiving the final volume of TRU mixed waste, the Permittees shall remove from the facility all non-mixed hazardous waste, dispose in the Underground HWDUs all TRU-mixed hazardous waste and derived waste, and shall complete closure activities as specified in the Closure Plan, Permit Attachment I, and as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.113).

II.L.5. Disposal or Decontamination of Equipment, Structures, and Soils

The Permittees shall decontaminate or dispose of all contaminated equipment, structures, and soils, as specified in the Closure Plan, Permit Attachment I, and as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.114).

II.L.6. Certification of Closure

Within sixty (60) calendar days of completion of closure of each Underground HWDU, and within sixty (60) calendar days of completion of final closure, the Permittees shall certify in writing to the Secretary that the Underground HWDUs and/or facility have been closed as specified in the Closure Plan, Permit Attachment I, and as required by 20.4.1.500 NMAC (incorporating 40 CFR §§264.115 and 264.601).

II.L.7. Survey Plat

No later than the submission of the certification of closure of each Underground HWDU, the Permittees shall submit a survey plat detailing the location and dimensions of each Underground HWDU with respect to permanently surveyed benchmarks, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.116).

II.M. GENERAL POST-CLOSURE REQUIREMENTS

General post-closure care requirements are specified in Permit Module VI, Post-Closure Care Plan.

PERMIT ATTACHMENTS

Permit Attachment B (as modified from WIPP RCRA Part B Permit Application, "Waste Analysis Plan" - Chapter C).

Permit Attachment B1 (as modified from WIPP RCRA Part B Permit Application, "Waste Characterization Sampling Methods" - Appendix C4).

Permit Attachment B2 (as modified from WIPP RCRA Part B Permit Application, "Statistical Methods Used in Sampling and Analysis" - Appendix C6).

Permit Attachment B3 (as modified from WIPP RCRA Part B Permit Application, "Quality Assurance Objectives and Data Validation Techniques for Waste Characterization Sampling and Analytical Methods" - Appendix C8).

Permit Attachment B4 (as modified from WIPP RCRA Part B Permit Application, "TRU Waste Characterization Using Acceptable Knowledge" - Appendix C9).

Permit Attachment B5 (as modified from WIPP RCRA Part B Permit Application, "Quality Assurance Project Plan Requirements" - Appendix C10).

Permit Attachment B6 (as modified from WIPP RCRA Part B Permit Application, "Waste Isolation Pilot Plant Generator/Storage Site Waste Screening and Acceptance Audit Program" - Appendix C11).

Permit Attachment B7 (as modified from the Class 3 permit modification request addressing Section 311 Pub. L. 108-137, Section 310 Pub. L. 108-447, and Remote Handled Waste, June 10, 2005 and September 22, 2005).

Permit Attachment C (as modified from WIPP RCRA Part B Permit Application, "Procedures to Prevent Hazards" - Chapter F).

Permit Attachment D (as modified from WIPP RCRA Part B Permit Application, "Procedures to Prevent Hazards" - Chapter F).

Permit Attachment E (as modified from WIPP RCRA Part B Permit Application, "Procedures to Prevent Hazards" - Chapter F).

Permit Attachment F (as modified from WIPP RCRA Part B Permit Application, "RCRA Contingency Plan" - Chapter G).

Permit Attachment H (as modified from WIPP RCRA Part B Permit Application, "Personnel Training" - Chapter H).

Permit Attachment H1 (as modified from WIPP RCRA Part B Permit Application, "List of Hazardous Waste Management Job Titles" - Appendix

H1, and "Waste Isolation Pilot Plant RCRA Hazardous Waste Management Functional Job Descriptions" - Appendix H2).

Permit Attachment H2 (as modified from WIPP RCRA Part B Permit Application, "Training Course and Qualification/Certification Card Outlines" - Appendix H3).

Permit Attachment I (as modified from WIPP RCRA Part B Permit Application, "Closure Plans, Post-Closure Plans, and Financial Requirements" - Chapter I).

Permit Attachment I1 (as modified from WIPP RCRA Part B Permit Application, "Technical Specifications, Panel Closure System, Waste Isolation Pilot Plant" - Appendix I1).

Permit Attachment I2 (as modified from WIPP RCRA Part B Permit Application, "Shaft Sealing System Compliance Submittal Design Report" - Appendix 2).

Permit Attachment J (as modified from WIPP RCRA Part B Permit Application, "Closure Plans, Post-Closure Plans, and Financial Requirements" - Chapter I).

Permit Attachment J1 (as modified from WIPP RCRA Part B Permit Application, "Active Institutional Controls" - Appendix I4).

Permit Attachment O (as modified from WIPP RCRA Part B Permit Application, "Hazardous Waste Permit Application Part A" - Chapter A).

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