

## Environmental Protection Agency

## § 194.2

### COMPLIANCE WITH THE 40 CFR PART 191 DISPOSAL REGULATIONS AND THE 40 CFR PART 194 COMPLIANCE CRITERIA

AUTHORITY: Pub. L. 102-579, 106 Stat. 4777, as amended by Pub. L. 104-201, 110 Stat. 2422; Reorganization Plan No. 3 of 1970, 35 FR 15623, Oct. 6, 1970, 5 U.S.C. app. 1; Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011-2296 and 10101-10270.

SOURCE: 61 FR 5235, Feb. 9, 1996, unless otherwise noted.

### Subpart A—General Provisions

#### § 194.1 Purpose, scope, and applicability.

This part specifies criteria for the certification or any re-certification, or subsequent actions relating to the terms or conditions of certification of the Department of Energy's Waste Isolation Pilot Plant's compliance with the disposal regulations found at part 191 of this chapter and pursuant to section 8(d)(1) and section 8(f), respectively, of the WIPP LWA. The compliance certification application submitted pursuant to section 8(d)(1) of the WIPP LWA and any compliance re-certification application submitted pursuant to section 8(f) of the WIPP LWA shall comply with the requirements of this part.

#### § 194.2 Definitions.

Unless otherwise indicated in this part, all terms have the same meaning as in part 191 of this chapter.

*Acceptable knowledge* means any information about the process used to generate waste, material inputs to the process, and the time period during which the waste was generated, as well as data resulting from the analysis of waste, conducted prior to or separate from the waste certification process authorized by EPA's Certification Decision, to show compliance with Condition 3 of the certification decision (appendix A of this part).

*Administrator's authorized representative* means the director in charge of radiation programs at the Agency.

*Certification* means any action taken by the Administrator pursuant to section 8(d)(1) of the WIPP LWA.

*Compliance application(s)* means the compliance certification application submitted to the Administrator pursu-

ant to section 8(d)(1) of the WIPP LWA or any compliance re-certification applications submitted to the Administrator pursuant to section 8(f) of the WIPP LWA.

*Compliance assessment(s)* means the analysis conducted to determine compliance with § 191.15, and part 191, subpart C of this chapter.

*Delaware Basin* means those surface and subsurface features which lie inside the boundary formed to the north, east and west of the disposal system by the innermost edge of the Capitan Reef, and formed, to the south, by a straight line drawn from the southeastern point of the Davis Mountains to the most southwestern point of the Glass Mountains.

*Deep drilling* means those drilling events in the Delaware Basin that reach or exceed a depth of 2,150 feet below the surface relative to where such drilling occurred.

*Department* means the United States Department of Energy.

*Disposal regulations* means part 191, subparts B and C of this chapter.

*Management systems review* means the qualitative assessment of a data collection operation or organization(s) to establish whether the prevailing quality management structure, policies, practices, and procedures are adequate to ensure that the type and quality of data needed are obtained.

*Minor alternative provision* means an alternative provision to the Compliance Criteria that only clarifies an existing regulatory provision, or does not substantively alter the existing regulatory requirements.

*Modification* means action(s) taken by the Administrator that alters the terms or conditions of certification pursuant to section 8(d)(1) of the WIPP LWA. Modification of any certification shall comply with this part and part 191 of this chapter.

*Population of CCDFs* means all possible complementary, cumulative distribution functions (CCDFs) that can be generated from all disposal system parameter values used in performance assessments.

*Population of estimates* means all possible estimates of radiation doses and radionuclide concentrations that can be generated from all disposal system