



Michelle Lujan Grisham
Governor

Howie C. Morales
Lt. Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov



**EMID-700971
Rec'd 7/9/20**

James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

JULY 9, 2020

Kirk Lachman, Manager
Environmental Management
U.S. Department of Energy
Los Alamos Field Office
P.O. Box 1663 MS M984
Los Alamos, NM 87545

Michael Weis, Manager
National Nuclear Security Administration
Los Alamos Field Office
LANL MS-A316
3747 West Jemez Road
Los Alamos, NM 87544

**RE: RESPONSE TO REQUEST FOR SUPPLEMENTAL INFORMATION
TRU WASTE CONTAINERS STORED AT AREA G, TA-54
LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-MISC**

Dear Messrs. Lachman and Weis:

The New Mexico Environment Department (NMED) has received the Department of Energy (DOE), Newport News Nuclear BWXT-Los Alamos (N3B) and Triad National Security LLC (Triad), collectively referred to as the Permittees' *Response to Request for Supplemental Information Regarding TRU Waste Containers Stored at Area G, TA-54* (Response) dated and received March 4, 2020 and referenced by EPC-DO-20-073/LA-UR-20-21857.

In NMED's February 3, 2020 request for supplemental information, NMED asked the Permittees to provide information about any additional containers which did not meet the Waste Acceptance Criteria (WAC) for the Waste Isolation Pilot Plant (WIPP) due to the potential presence of nitrates and organics. The Permittees have addressed NMED's inquiry regarding additional containers that were not accepted by Central Characterization Program (CCP). NMED understands that the Basis of Knowledge (BoK) process which placed these containers into a Non-Conformance Report (NCR) is on-going and that a final determination has not been made by the Permittees regarding these containers.

NMED agrees that NCR is an indication that the waste in the container has not met the BoK process. The Permittees have made repeated statements throughout the document that the BoK process is not designed to change the generating facility's hazardous waste determination, however, if during the BoK process it is determined that these drums should have had additional waste codes, then those waste

codes should be applicable during storage as well as during shipment. It is critical that the Permittees take additional steps to characterize the waste in these containers to assure they are properly managed and to assure proper and safe disposal.

The Permittees must keep NMED apprised of the status of containers which do not meet the WIPP WAC due to the potential presence of incompatible wastes (*i.e.*, nitric acids (D002) and organics) and may require remediation, or which are determined to have an D001 or D003 waste by the receiving facility. The Permittees must provide NMED with an update on status of the NCR containers **by December 31, 2020 and annually thereafter until the issue has been resolved.**

If you have any questions regarding this letter, please contact Siona Briley at (505) 476-6049.

Sincerely,

Kevin
Pierard

Digitally signed by
Kevin Pierard
Date: 2020.07.09
10:58:54 -06'00'

Kevin M. Pierard, Chief
Hazardous Waste Bureau

cc:

N. Dhawan, NMED HWB
S. Briley, NMED HWB
M. Schatz, NMED HWB
J. Kraemer, NMED-HWB
L. King, US EPA Region 6
A. Duran, EM-LA
K. Armijo, NA-LA
S. Story-Hughes, NA-LA
E. Torres, Triad
P. Padilla, Triad
P. Maestas, N3B
W. Alexander, N3B
lasomailbox@nnsa.doe.gov
emla.docs@em.doe.gov
epc-correspondence@lanl.gov

File: 2020 LANL, LANL Permit, Response to Supplemental Information Request Regarding TRU Waste Containers at TA-54, Area G