



National Nuclear Security Administration

Los Alamos Field Office
3747 West Jemez Road, A316
Los Alamos, New Mexico 87544

(505) 667-5105/Fax (505) 667-5948

Environmental Management

Los Alamos Field Office
1200 Trinity Drive, Suite 400P
Los Alamos, New Mexico 87544

(240) 562-1122

Date: November 30, 2023

Mr. Ricardo Maestas, Acting Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6313

Subject: Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Dear Mr. Maestas:

The United States Department of Energy (DOE) and its field offices, the National Nuclear Security Administration-Los Alamos Field Office (NA-LA) and the Environmental Management-Los Alamos Field Office (EM-LA), along with Triad National Security, LLC (Triad) and Newport News Nuclear BWXT-Los Alamos, LLC (N3B), collectively the Permittees, submit the enclosed report, *Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit* (Report) to the New Mexico Environment Department-Hazardous Waste Bureau (NMED-HWB).

The Report is required by the Los Alamos National Laboratory Hazardous Waste Facility Permit (Permit) Section 1.9.13, *Written Reporting of a Non-threatening Release* and Permit Section 1.9.14, *Other Noncompliance*, and includes information for the Los Alamos National Laboratory (EPA ID #NM0890010515). The Permit requires the Permittees to report all instances of noncompliance with the Permit and to report any releases (at or from permitted units) that did not pose a threat to human health or the environment. The Permit requires that the Report be submitted annually by December 1 for the fiscal year ending September 30.

Enclosure 1 addresses instances of noncompliance with the Permit and releases at permitted units under operational control of NA-LA/Triad. Enclosure 2 addresses instances of noncompliance with the Permit and releases at permitted units under operational control of EM-LA/N3B. Each enclosure includes a certification page from the responsible Permittees.

If you have questions or comments for Triad concerning this submittal, please contact Robert A. Gallegos (NA-LA) at (505) 901-3824 or by email robert.gallegos@nnsa.doe.gov, or Jason Hill (Triad) at (505) 551-2218 or by email at jshill@lanl.gov.

If you have questions or comments for N3B concerning this submittal, please contact Arturo Duran (EM-LA) at (575) 373-5966 or by email at arturo.duran@em.doe.gov, or Christian Maupin (N3B) at (505) 695-4281 or by email at christian.maupin@em-la.doe.gov.

Sincerely,

**Robert A.
Gallegos**

Digitally signed by Robert A.
Gallegos
Date: 2023.11.29 09:36:54
-07'00'

Robert A. Gallegos
Permitting and Compliance Program Manager
National Nuclear Security Administration
Los Alamos Field Office
U.S. Department of Energy

Sincerely,



Digitally signed by BRIAN
HARCEK
Date: 2023.11.13 08:01:44
-07'00'

Brian G. Harcek, Acting Co-Director
Office of Quality and Regulatory Compliance
Environmental Management
Los Alamos Field Office
U.S. Department of Energy

- Enclosures: (1) Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit
U.S. Department of Energy, National Nuclear Security Administration-Los Alamos Field Office, and Triad National Security, LLC
- (2) Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit
U.S. Department of Energy, Environmental Management-Los Alamos Field Office, and Newport News Nuclear BWXT-Los Alamos, LLC

copy w/enclosures:

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U.S. DEPARTMENT OF
ENERGY

COPY

National Nuclear Security Administration

Los Alamos Field Office
3747 West Jemez Road, A316
Los Alamos, New Mexico 87544

(505) 667-5105/Fax (505) 667-5948

Environmental Management

Los Alamos Field Office
1200 Trinity Drive, Suite 400P
Los Alamos, New Mexico 87544

(240) 562-1122

Date: November 30, 2023



Mr. Ricardo Maestas, Acting Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6313

Subject: Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Dear Mr. Maestas:

The United States Department of Energy (DOE) and its field offices, the National Nuclear Security Administration-Los Alamos Field Office (NA-LA) and the Environmental Management-Los Alamos Field Office (EM-LA), along with Triad National Security, LLC (Triad) and Newport News Nuclear BWXT-Los Alamos, LLC (N3B), collectively the Permittees, submit the enclosed report, *Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit* (Report) to the New Mexico Environment Department-Hazardous Waste Bureau (NMED-HWB).

The Report is required by the Los Alamos National Laboratory Hazardous Waste Facility Permit (Permit) Section 1.9.13, *Written Reporting of a Non-threatening Release* and Permit Section 1.9.14, *Other Noncompliance*, and includes information for the Los Alamos National Laboratory (EPA ID #NM0890010515). The Permit requires the Permittees to report all instances of noncompliance with the Permit and to report any releases (at or from permitted units) that did not pose a threat to human health or the environment. The Permit requires that the Report be submitted annually by December 1 for the fiscal year ending September 30.

Enclosure 1 addresses instances of noncompliance with the Permit and releases at permitted units under operational control of NA-LA/Triad. Enclosure 2 addresses instances of noncompliance with the Permit and releases at permitted units under operational control of EM-LA/N3B. Each enclosure includes a certification page from the responsible Permittees.

If you have questions or comments for Triad concerning this submittal, please contact Robert A. Gallegos (NA-LA) at (505) 901-3824 or by email robert.gallegos@nnsa.doe.gov, or Jason Hill (Triad) at (505) 551-2218 or by email at jshill@lanl.gov.

ENCLOSURE 1

Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

EPC-DO-23-329

LA-UR-23-32686

Date: November 30, 2023

U.S. Department of Energy,
National Nuclear Security Administration-Los Alamos Field Office, and
Triad National Security, LLC



**Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance
with the Los Alamos National Laboratory Hazardous Waste Facility
Permit U.S. Department of Energy, National Nuclear Security
Administration-Los Alamos Field Office, and Triad National Security, LLC**

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**STEVEN
STORY (Affiliate)**

Digitally signed by STEVEN
STORY (Affiliate)
Date: 2023.11.09 13:52:33
-07'00'

11/6/2023

Steven L. Story
Division Leader
Environmental Protection and Compliance Division
Triad National Security, LLC
Los Alamos National Laboratory

Date Signed

**Robert A.
Gallegos**

Digitally signed by Robert A.
Gallegos
Date: 2023.11.29 09:50:33 -07'00'

Robert A. Gallegos
Environmental Permitting and Compliance Program Manager
National Nuclear Security Administration
Los Alamos Field Office
U.S. Department of Energy

Date Signed

Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the
Los Alamos National Laboratory Hazardous Waste Facility Permit
U.S. Department of Energy, National Nuclear Security Administration-Los Alamos Field Office
and Triad National Security, LLC

Introduction

This annual report has been prepared by the U.S. Department of Energy (DOE), National Nuclear Security Administration-Los Alamos Field Office (NA-LA), and Triad National Security, LLC (Triad), to meet a reporting requirement of the Los Alamos National Laboratory (LANL or the Laboratory) Hazardous Waste Facility Permit (the Permit). Permit Sections 1.9.13 and 1.9.14 require reporting of: (1) any non-threatening release of hazardous waste or constituents from or at a permitted unit and (2) all instances of noncompliance with the Permit. Accordingly, this report must be submitted to the New Mexico Environment Department-Hazardous Waste Bureau annually, by December 1, for the previous year ending September 30. This report covers the reporting period October 1, 2022, through September 30, 2023.

Please note that this enclosure addresses only releases and instances of noncompliance at permitted units under operational control of Triad. None of the identified releases or incidents of noncompliance detailed within this report posed a potential threat to human health or the environment.

Facility Information

Owner and Operator:

United States Department of Energy
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Co-Operator:

Triad National Security, LLC
PO Box 1663
Los Alamos, NM 87545

Facility:

Los Alamos National Laboratory
Bikini Atoll Road, SM-30
Los Alamos, NM 87545

Releases from or at a Permitted Unit

During the reporting period, there were seven releases within or from a permitted unit under operational control of Triad. Regarding the term “release” as used in this report, the Permit defines a release as “any accidental or intentional spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, or dumping of any hazardous waste or hazardous constituents inside a permitted unit or from a permitted unit to the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous waste or hazardous constituents.”

Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the
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U.S. Department of Energy, National Nuclear Security Administration-Los Alamos Field Office
and Triad National Security, LLC

None of the releases or spills from or at a permitted unit resulted in migration outside of the building and none threatened human health or the environment.

TA-55-4, Mixed Waste Storage Tank System

On October 3, 2022, a leak of approximately one ounce of fluid was discovered on the elbow of a drain manifold of the filtrate tanks because of a defective weld. On October 4, the defective weld was wrapped with plastic and fiberglass tape. The affected tank is not part of permitted unit, and the material is not a waste. The corrective action plan includes replacement of the elbow through a programmatic work request. Operations staff continue to monitor the wrap and aspirate the line with air to keep it dry.

An Affidavit of Non-Use for this unit was filed for CY 2022 and this room remains used for operations and is not used for waste management activities at this time.

The release at this permitted unit was not a risk to the public, human health, or the environment. The release occurred within an indoor location with no potential for migration to the outside; therefore, there was no impact to Solid Waste Management Units (SWMUs), Areas of Concerns (AOCs), or water courses near the building.

TA-55-4, Mixed Waste Storage Tank System

On July 25, 2023, during a routine room sweep, a nitric acid leak of approximately 2 milliliters was detected under a drain tank valve. A programmatic work request was immediately issued by the operator who discovered the leak to repair the drain tank valve. A recovery plan was developed on July 25, 2023.

The spill was cleaned up July 26, 2023, and the valve was replaced on the morning of July 27, 2023, which resulted in this action being closed.

An Affidavit of Non-Use for this unit was filed for CY 2022 and this room remains used for operations and is not used for waste management activities at this time.

The release at this permitted unit was not a risk to the public, human health, or the environment. The release occurred within an indoor location with no potential for migration to the outside; therefore, there was no impact to SWMUs, AOCs, or water courses near the building.

TA-55-4, B40

On January 4, 2023, approximately one gallon of liquid was found spilled on the tile floor during a daily inspection. The liquid was determined to be water after a sample of the liquid was taken, radiation analysis determination was non-detect, and the pH was found to be neutral. The source of the spill was determined to be caused by a faulty electric valve of nearby heating, ventilation, and air conditioning chilled water unit. The water did not encounter waste

Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the
Los Alamos National Laboratory Hazardous Waste Facility Permit
U.S. Department of Energy, National Nuclear Security Administration-Los Alamos Field Office
and Triad National Security, LLC

drums or drains in the unit. The water was cleaned up and analyzed on January 4, 2023, and this action was closed out.

The release at the permitted unit was not a risk to the public, human health, or the environment. The release occurred within an indoor location with no potential for migration to the outside; therefore, there was no impact to SWMUs, AOCs, or water courses near the building.

TA-55-4, K13

On February 10, 2023, an eyewash valve was found to have been accidentally left in the open position and approximately two gallons of water was spilled into the unit. The water was sampled for radiation and determined to be not detected, the pH was also found to be neutral. The water did not encounter waste drums or floor drains.

The water was cleaned up, and the valve was inspected and determined to be in working order. This action was closed on February 10, 2023.

The release at this permitted unit was not a risk to the public, human health, or the environment. The release occurred within an indoor location with no potential for migration to the outside; therefore, there was no impact to SWMUs, AOCs, or water courses near the building.

TA-55-4, B40

On March 13, 2023, the fire suppression system released water that encroached on the boundary of the permitted unit. The release was approximately 4,700 gallons of water. The water did not enter the unit boundary, but the Permittees are conservatively reporting this incident.

The water was sampled, determined to contain nondetectable radioactivity, and sent to the Radioactive Liquid Waste Treatment Facility (RLWTF) due to the volume of the water. The water release was due to a shorted wire, which was replaced/rerouted. The fire suppression system in the area is being re-evaluated for other vulnerabilities. All affected high efficiency particulate air filters (42 total filters) were replaced, all of the demisters were replaced, the plenum cooling coils were inspected, the affected fan housing was inspected, and the thermal detector (which triggered the event), was troubleshooted and fixed. The electricians were re-trained on the necessity of running electrical wire for the fire suppression system through protected electrical conduit, and this action was closed on March 22, 2023.

The release, adjacent to this permitted unit, was not a risk to the public, human health, or the environment. The release occurred adjacent to the indoor unit with no potential for migration to the outside; therefore, there was no impact to SWMUs, AOCs, or water courses near the building.

TA-55-4, B40

On March 25, 2023, a nearby sump pump backed about 30 gallons of water into B-40 when a float failed to activate and shut off when the sump filled. The water came from a fire protection

Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the
Los Alamos National Laboratory Hazardous Waste Facility Permit
U.S. Department of Energy, National Nuclear Security Administration-Los Alamos Field Office
and Triad National Security, LLC

system that was activated accidentally. The sump is not located within the permitted unit and the water did not contact any drums. After testing, it was determined to be water and was subsequently sent to the RLWTF. The sump pump was subsequently replaced and tested to ensure the new pump worked as designed as part of the corrective action, and the action was closed on March 28, 2023.

The release at this permitted unit was not a risk to the public, human health, or the environment. The release occurred within an indoor location with no potential for migration to the outside; therefore, there was no impact to SWMUs, AOCs, or water courses near the building.

TA-55-4, B40

On September 14, 2023, a liquid spill of approximately 1 gallon of water was observed on the floor within the permitted unit. The spill cause was determined to be the same equipment that caused the January 4, 2023, event. A work order to install a water diverter was completed on September 27, 2023, and the action was closed on September 27, 2023.

The release at this permitted unit was not a risk to the public, human health, or the environment. The release occurred within an indoor location with no potential for migration to the outside; therefore, there was no impact to SWMUs, AOCs, or water courses near the building.

Instances of Noncompliance with the Permit

From October 1, 2022, through September 30, 2023, Triad documented a total of eleven (11) instances of noncompliance with the Permit. These occurrences are provided in Enclosure 1, Table 1. The instances of noncompliance are organized by unit location.

Summary of Corrective Actions

As part of the LANL commitment to environment, health, and safety (EHS), excellence and continuous improvement, the Permittees are dedicated to ongoing efforts to evaluate, refine, and optimize pollution prevention, waste minimization, and environmental management systems, processes, and tools to ensure compliance with the Permit. Facility operators, EHS subject matter experts, and waste management personnel continue to identify and implement corrective actions and communicate lessons learned, such as a feedback process to confirm that weekly inspections have been conducted, as a best management practice to ensure compliance.

Table 1. Fiscal Year 2023 Noncompliance Report

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Number of Instances	Period of Noncompliance	Steps Taken to Resolve
10/18/2022	03-0029-9020	During a routine inspection, it was discovered that the 24-inch aisle spacing requirement was not maintained. This is a noncompliance with Permit Section 3.5.1(1).	(1) standard waste box; (14) 55-gallon drums	1	10/18/2022–10/19/2022	The unit owner rearranged the standard waste box to provide the required aisle space, and the drums were shipped offsite for disposal. The waste operators were retrained to ensure that they understood and were implementing proper aisle spacing requirements.
10/18/2022	03-0029-9020	The waste label could not be inspected without moving the container. This is a noncompliance of Permit Section 3.8(2).	(1) standard waste box	1	10/18/2022–10/19/2022	The standard waste box was rearranged to allow the label to be inspected without moving the container. The waste operators were retrained to ensure that they understood and were implementing proper labeling requirements.
06/19/2023	63-0149	The hazard indicator (toxic) was missing from the container. This is a noncompliance with Permit Section 3.6(1).	(1) 55-gallon drum	1	06/19/2023–06/19/2023	The appropriate hazard indicator sticker for toxicity was applied to the container label as soon as the issue with the missing hazard indicator was discovered. Operators were retrained with specific emphasis that when damaged labels are replaced with new labels, the hazard indicators must be reapplied to the new labels in accordance with generator requirements.
6/06/2023	55-4-K13	The Contingency Plan Quick Reference Guide was found to be not current. This is a noncompliance with Permit Section 2.11.12.	1 guide	1	2/1/2023–06/06/2023	The Contingency Plan Quick Reference Guide was updated to the current version. A backup contact for the unit was trained to ensure that future updates to Permit-required documents for the unit are properly disseminated.
6/06/2023	55-4-K13	Two containers in the unit were not identified in the operating records. This is a noncompliance with Permit Section 2.12.2.	2 drums	1	06/01/2023–06/06/2023 and 03/01/2023–06/06/2023	The operating records were updated to reflect the missing containers. The hazardous waste management unit workers were reminded that the operating record needs to match what is physically present in the unit.
6/06/2023	55-4-K13	Eyewash station was not accessible due to scaffolding blocking the eyewash station. This is a noncompliance with Permit Section 2.10.	1 piece of equipment	1	06/06/2023–06/07/2023	The scaffolding was moved so that the eyewash station was accessible for use. Maintenance managers were asked to reiterate to the craft that emergency equipment must be accessible at all times and that at no time can anything be left blocking the emergency equipment.

Table 1. Fiscal Year 2023 Noncompliance Report

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Number of Instances	Period of Noncompliance	Steps Taken to Resolve
02/27/2023	55-4-B05	A hazardous waste management unit worker's RCRA Refresher training was found to have expired. This is a noncompliance of Attachment F of the Permit.	1 person	1	02/22/2023–02/27/2023	The hazardous waste management unit worker completed the RCRA Refresher training on 2/27/2023.
08/28/2023	55-4-B13	Treatment, storage, and facility personnel were unable to conduct the required daily hazardous waste inspections because the room was being evaluated by radiological control technicians. This is a noncompliance of Permit Section 2.6.1.	Not applicable	1	08/28/2023–9/17/2023	The unit was reopened on 09/17/2023, and the inspection was completed. The missed inspections were recorded in the operating record.
10/17/2023	Not applicable	In fiscal year 2023, three documents from the New Mexico Environment Department-Hazardous Waste Bureau to the Permittees were not placed in the LANL Public Reading Rooms (electronic and hardcopy) until after the 10 days required by Permit Section 1.10.	Not applicable	3	10/19/2022–11/15/2023 10/26/2022–11/15/2023 6/22/2023–6/30/2023	When the mistake was recognized, correspondence was placed in the LANL Public Reading Rooms. In two instances, internal document distribution was not fully completed. In the third instance, the document was delayed awaiting receipt of the official correspondence. Efforts to remind personnel of the available communication avenues for all incoming correspondence are regularly restated, and the Permittees will continue to work to ensure that correspondence is received by the correct personnel in a timely manner.

ENCLOSURE 2

Fiscal Year 2023 Reporting of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Date: October 31, 2023

U.S. Department of Energy,
Environmental Management Los Alamos Field Office, and
Newport New Nuclear BWXT-Los Alamos, LLC

CERTIFICATION

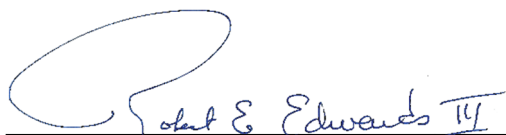
NEWPORT NEWS NUCLEAR BWXT-LOS ALAMOS, LLC

**Fiscal Year 2023 Reporting of Noncompliance and Releases for
Newport News Nuclear BWXT-Los Alamos, LLC**

CERTIFICATION STATEMENT OF AUTHORIZATION

In accordance with the New Mexico Administrative Code Title 20, Chapter 4, Part 1 (incorporating the Code of Federal Regulations, Title 40 CFR § 270.11):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."



Robert Edwards III, Acting Program Manager
Environment, Safety, Health and Quality
Newport News Nuclear BWXT-Los Alamos, LLC

October 26, 2023

Date



Digitally signed by
BRIAN HARCEK
Date: 2023.10.31
09:58:57 -06'00'

Brian Harcek, Acting Co-Director
Office of Quality and Regulatory Compliance
U.S. Department of Energy
Environmental Management
Los Alamos Field Office

Date

1.0 INTRODUCTION

This report has been prepared by the U.S. Department of Energy (DOE) Environmental Management Los Alamos Field Office (EM-LA) and Newport News Nuclear BWXT-Los Alamos, LLC (N3B), collectively the Permittees, to meet the reporting requirements of the Los Alamos National Laboratory Hazardous Waste Facility Permit (the Permit). Permit Sections 1.9.13 and 1.9.14 require reporting any non-threatening releases of hazardous waste or constituents from, or at, a permitted unit, and all instances of noncompliance with the Permit. This report must be submitted by December 1 of each year.

This report addresses N3B-operator-associated releases and instances of noncompliance from October 1, 2022, through September 30, 2023.

- There were no releases of hazardous waste or constituents from or within permitted areas.
- None of the instances of Permit noncompliance detailed in this report posed a potential threat to human health or the environment.
- For a portion of the reporting period, because of nuclear safety concerns, two containers with liquids could not be placed on secondary containment until EM-LA approval was obtained for an evaluation of the safety in moving the containers. Although this condition was ultimately corrected, during the noted period, multiple compensatory measures were in use, including daily inspections of the containers and the use of absorbent socks/pads around each container.
- All noncompliance issues have either been corrected or are in the process of correction to achieve compliance.

2.0 FACILITY INFORMATION

Owner and Operator:

United States Department of Energy
Environmental Management Los Alamos Field Office
1200 Trinity Drive, Suite 400
Los Alamos, NM 87544
(505) 562-1122

Co-Operator:

Newport News Nuclear BWXT-Los Alamos, LLC
1200 Trinity Drive, Suite 150
Los Alamos, NM 87544
(505) 257-7690

Facility:

Technical Area 54
Los Alamos National Laboratory
Mesita del Buey Road
Los Alamos, NM 87545
(505) 257-8400

3.0 RELEASES FROM OR WITHIN A PERMITTED UNIT

During the period of October 1, 2022, through September 30, 2023, there were no releases at, or from, a permitted unit under EM-LA/N3B management.

4.0 INSTANCES OF PERMIT NONCOMPLIANCE

From October 1, 2022, through September 30, 2023, five instances of Permit noncompliance were documented. A summary of the Permit noncompliance instances is provided in Table 1.

5.0 SUMMARY OF IMPROVEMENTS

N3B is working to improve the identification of Permit noncompliance through ongoing training for all personnel involved with Permit implementation. In addition, waste management policies and procedures are continually reviewed and revised to reflect best management practices and actual working conditions to ensure Permit-compliant operations.

Staff recently received refresher training for inspection and labeling procedures, and Contact-Handled Transuranic Waste staff attended workshops to promote Resource Conservation and Recovery Act permit knowledge. These refresher trainings are ongoing.

Table 1
Fiscal Year 2023 Noncompliance Report for N3B

Date of Discovery	TA-54 ^a Permitted Unit Location	Permit Section or CFR ^b Reference	Noncompliance Description	Days Out of Compliance	Corrective Actions Taken/Additional Information
9/27/21	TA-54 Dome 232	Permit Conditions 3.7.1, 3.12	During an extent-of-condition evaluation, two containers (#S823829 and LA00000069044), labeled as containing free liquids, were identified as not stored on secondary containment.	574	NMED ^c was initially notified of this noncompliance by email on October 6, 2021; additionally, email updates were provided by N3B on October 5 and December 9, 2021, and this noncompliance was included in the fiscal year 2022 noncompliance report. These containers could not be moved immediately as they were either potentially energetic containers identified in the Defense Nuclear Facilities Safety Board Technical Report 46 (Tech-46 containers) or situated in close proximity to potentially energetic Tech-46 containers. Compensatory measures implemented included the use of absorbent socks placed around each container, absorbent pads placed underneath each container, and daily inspections of the containers. Following receipt of the nuclear safety evaluation authorization from DOE to move these containers, both were moved to a compliant configuration on secondary containment on May 3, 2023.
1/1/2023	Not applicable	Permit Condition 1.17	Failure to provide NMED 30-day notice of buildings and other fixed structures that may contain hazardous material scheduled to be demolished	0	Permit condition 1.17 was reinterpreted by N3B to include fixed structures, such as drain lines, septic tanks and other non-building structures, which were previously excluded from this reporting requirement. Consequently, 30-day notification of some non-building structures may not have been provided to NMED. Quarterly and annual demolition reports now include non-building fixed structures with the potential to contain hazardous material scheduled for demolition.
2/16/2023	TA-54 Dome 230	Permit Condition 3.2	Two waste containers of questionable integrity (W801972 and W800469) were unable to be overpacked within 24 hours.	98	Waste containers W801972 and W800469 were identified as having questionable integrity due to pin holes identified on February 16, 2023; however based on proximity to potential energetic containers, they could not be moved and overpacked within the required 24 hours. An assessment by industrial health and radiation control personnel conducted shortly after discovery determined there were no indications of a radiological or hazardous constituent release from either container. Compensatory measures implemented included covering the area of each pinhole with tape and performing daily inspections until overpack of each container was complete. Both containers were successfully overpacked on May 24, 2023 following receipt of the nuclear safety evaluation authorization by DOE. NMED was notified of this condition by email on February 21, 2023.
6/18/2022	TA-54 Dome 49	Permit Attachment D Contingency Plan Table D-2, TA-54 Area G Emergency Equipment	Fire-alarm pull stations are out of service.	468	As reported in N3B's fiscal year 2022 noncompliance report, beginning on June 18, 2022, the Dome 49 fire alarm system was out of service as a result of two separate weather events on June 18 and 19, 2022. At the time, Dome 49 was undergoing reskinning and no waste was stored in this facility. Mitigations were put in place and no threat to human health or the environment occurred as a result of this situation. An evaluation of the Dome 49 fire alarm system was conducted, which resulted in the identification of needed replacement parts. The necessary parts have since been obtained and installation and reactivation of the fire alarm system is pending completion of the reskinning effort. The Dome 49 fire alarm system will be returned to working order before waste is placed inside the dome. NMED was first notified of this condition on June 21, 2022.
1/18/2023	Not applicable	40 CFR 262.20(a)(1)	Failure to properly complete a hazardous waste manifest	246	NMED's annual compliance evaluation inspection conducted November 14–18, 2022, identified that manifest #014573908FLE was not properly completed as it lacked transporter information. The missing transporter information has since been incorporated.

^a TA-54 = Technical Area 54.

^b CFR = Code of Federal Regulations.

^c NMED = New Mexico Environment Department.