



ESHID-602787

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DEC 19 2017

Date:
Symbol: EPC-DO: 17-544
LA-UR: 17-31230
Locates Action No.: N/A

Mr. John E. Kieling, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505

**SUBJECT: Correction of Anticipated Noncompliance with the Los Alamos National Laboratory
Hazardous Waste Facility Permit, EPA ID No. NM890010515**

Dear Mr. Kieling:

The purpose of this letter is to provide corrections to a notification provided to the New Mexico Environment Department Hazardous Waste Bureau (NMED-HWB) on October 24, 2017 (LA-UR-17-29388 or EPC-DO: 17-437), and revised on December 4, 2017 (LA-UR-17-30477 or EPC-DO: 17-486). The correspondence provided the NMED-HWB with notice of an anticipated noncompliance as required by Permit Section 1.9.11 of the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (Permit). The Permittees (the US Department of Energy and the Los Alamos National Security, LLC) shall give advance written notice to the Department of any planned changes to any permitted unit at the Facility or activity which may result in noncompliance with Permit requirements (see 40 CFR 270.30(l)(2)).

The Permittees have 27 containers of unremediated nitrate salt waste located within permitted storage at Technical Area (TA) 54, Area G. The waste within these containers has been assigned a U.S. Environmental Protection Agency (EPA) Hazardous Waste Number for ignitability (D001); therefore, Permit Section 2.8.1 is applicable to management of these waste containers. Unremediated nitrate salt waste must be repackaged prior to transport to the treatment/storage unit at the TA-50, Building 69, Waste Characterization, Reduction, and Repackaging Facility (WCRRF) for treatment. The High Density Polyethylene (HDPE) liners holding the unremediated nitrate salt waste are being pulled from the original 55-gallon container and repackaged into a new and compliant 55-gallon waste container. To complete this task, cutting tools and drills are being utilized.

The initial and revised notifications provided notification of a noncompliance with Permit Section 2.8.1(4) which requires the use of "non-sparking tools when managing hazardous waste containers that contain ignitable or reactive wastes." The notifications should also have included anticipated noncompliance with Permit Section 2.8.1(2) that requires segregation, separation, and protection from sources of ignition or reaction such as cutting and welding, frictional heat, sparks (e.g. static, electrical, mechanical), spontaneous ignition, and radiant heat. As each of the tools evaluated for the liner repackaging process are cutting tools, noncompliance with this section of the Permit is also applicable. Documentation of the final evaluation of the cutting tools and the determination that the tools would not cause an accidental ignition of the ignitable waste within the unremediated nitrate salt waste containers was included with the correspondence dated December 4, 2017 (LA-UR-17-30477 or EPC-DO: 17-486).

This letter serves as a corrected notification of an anticipated noncompliance associated with Permit Sections 2.8.1(2) and (4). As it applies, tracking of this noncompliance will be included in the fiscal year 2018 reporting of other noncompliance as required by Permit Section 1.9.14. If you have comments/questions or would like to meet regarding this submittal, please contact Mark P. Haagenstad, LANS, at (505) 665-2014 or David S. Rhodes, Environmental Management Los Alamos Field Office, at (505) 665-5325.

Sincerely,



Benjamine B. Roberts
(Acting) Division Leader

Sincerely,



David S. Rhodes
Director, Office of Quality & Regulatory Compliance

BBR/DSR/MPH: am

Enclosure(s): None

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CERTIFICATION

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.



Benjamine B. Roberts
(Acting) Division Leader
Environmental Protection and Compliance Programs
Los Alamos National Laboratory

12/14/2017

Date Signed



David S. Rhodes
Director, Office of Quality & Regulatory Compliance
Environmental Management
Los Alamos Field Office
U.S. Department of Energy

12/19/2017

Date Signed