



Department of Energy
Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221
MAR 23 2015

Mr. John E. Kieling, Bureau Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87508-6303

Ms. Kathryn Roberts, Division Director
Environmental Health Division
Harold Runnels Building
1190 Saint Francis Drive, Room 4050
Santa Fe, NM 87502-5469

Subject: Third Supplement to Report of Implementation of the Waste Isolation Pilot Plant Facility Resource Conservation and Recovery Act Contingency Plan on April 11, 2014

Dear Mr. Kieling and Ms. Roberts:

On April 11, 2014, the Department of Energy (DOE) Carlsbad Field Office (CBFO) and Nuclear Waste Partnership LLC (NWP), Co-Permittees of Hazardous Waste Facility Permit (NM4890139088-TSDF), implemented the Resource Conservation and Recovery Act (RCRA) Contingency Plan (Plan) and filed a report with the New Mexico Environment Department (NMED) on April 28, 2014, documenting implementation of the Plan. The Permittees then provided updated information in two Supplements to Report of Implementation of the Waste Isolation Pilot Plant Facility Resource Conservation and Recovery Act Contingency Plan on July 7, 2014 and August 18, 2014. The implementation of the Plan was in anticipation of investigation of the source of a radiological release from the facility that occurred on February 14, 2014.

The purpose of this letter is to provide the NMED with the additional supplemental information collected since the report was filed. This information has been obtained as a result of the continuing investigations into the cause of the February 14, 2014 radiological event.

We certify under penalty of law that this document and all attachments were prepared under our direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on our 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 our knowledge and belief, true, accurate, and complete. We are aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If you have any questions, please contact Mr. George T. Basabilvazo at (575) 234-7488.

Sincerely,

Original Signatures on File

Jose R. Franco, Manager
Carlsbad Field Office

Robert L. McQuinn, Project Manager
Nuclear Waste Partnership LLC

Enclosure

cc: w/enclosure
T. Kliphuis, NMED *ED
R. Maestas, NMED ED
C. Smith, NMED ED
CBFO M&RC
*ED denotes electronic distribution

**Third Supplement to Report of Implementation of the Waste Isolation Pilot Plant
Facility Resource Conservation and Recovery Act Contingency Plan on
April 11, 2014**

On April 11, 2014, the U.S. Department of Energy (DOE) Carlsbad Field Office (CBFO) and Nuclear Waste Partnership LLC (NWP), Permittees of Hazardous Waste Facility Permit (NM4890139088-TSDF), implemented the Resource Conservation and Recovery Act (RCRA) Contingency Plan. The Permittees subsequently filed a report with the New Mexico Environment Department (NMED) on April 28, 2014, documenting implementation of the RCRA Contingency Plan. On July 7, 2014, the Permittees provided updated information in the "Supplement to Report of Implementation of the Waste Isolation Pilot Plant Facility Resource Conservation and Recovery Act Contingency Plan on April 11, 2014." Another supplement, the "Second Supplement to Report of Implementation of the Waste Isolation Pilot Plant Facility Resource Conservation and Recovery Act Contingency Plan on April 11, 2014," was submitted by the Permittees on August 18, 2014.

Investigations relative to the cause of the February 14, 2014, radiological event have been ongoing since the time of these reports. The information provided below is an additional supplement to the information provided in the previous reports. Some of this information was reported verbally to the NMED on July 25, 2014, March 6, 2015, and March 13, 2015.

The name and quantity of material(s) involved

As previously reported, based upon the recent entries into the area and videos that were taken of the affected area, the Permittees have identified the drum that was damaged as LA00000068660 from Los Alamos National Laboratory (LANL) waste stream LA-MIN02-V.001. This is a waste stream that contains nitrate salts. The EPA hazardous waste numbers (HWNs) assigned to this waste stream were identified by the generator at the time of characterization, and provided to the Permittees in a waste stream profile form. These HWNs are D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D035, D038, D039, D040, F001, F002, and F005.

Because video investigations of the source of the release in Panel 7, Room 7, show evidence that a thermal reaction occurred in drum LA00000068660, the Permittees have determined that the subject waste container appears to have exhibited the characteristic of ignitibility after it was disposed. LANL and the Permittees have initiated investigations to determine if other containers from waste stream LA-MIN02-V.001 and other nitrate salt bearing waste streams also exhibit the characteristic of ignitibility and, consequently, should be assigned an additional EPA hazardous waste number (D001).

Pending receipt of additional information, the Permittees believe the EPA Hazardous Waste Number of D001 should be provisionally applied to 375 containers (this includes drum LA00000068660) from LANL waste streams LA-MIN02-V.001, LA-MHD01.001, and LA-MIN04-S.001. These waste containers have been disposed of in Panel 5, Room 1; Panel 6, Rooms 1, 2, 4, and 6; and Panel 7, Room 7, in the underground WIPP facility (Panel 5, Room 1 (2 containers); Panel 6, Room 1 (222 containers); Panel 6, Room 2 (93 containers); Panel 6, Room 4 (1 container); Panel 6, Room 6 (2 containers); and Panel 7, Room 7 (55 containers)). Continuing investigation and analysis by both the Permittees and LANL may provide additional information concerning the waste streams. The Permit Part 2, Section 2.3.3.7, specifies that wastes exhibiting the characteristic of ignitability, corrosivity, or reactivity (EPA Hazardous Waste Numbers of D001, D002, or D003) are not acceptable at the WIPP facility.

An assessment of actual or potential hazards to human health or the environment, where this is applicable

On May 8, 2014, the Permittees suspended the authorization for certification of certain waste streams, including LA-MIN02-V.001, via the WIPP Form process. This halted the shipment of additional containers of these wastes from LANL. This action was taken to protect human health and the environment. On May 20, 2014, the NMED ordered the Permittees to prepare and submit for approval a plan to isolate the disposed nitrate salt bearing waste by closing Panel 6 and Panel 7, Room 7, in order to protect human health and the environment. The Permittees responded to the order by preparing the WIPP Nitrate Salt Bearing Waste Container Isolation Plan, which was submitted to the NMED on May 30, 2014. The NMED approved two portions of the plan, which provide protection to human health and the environment. Specifically, the NMED approved the continued use of the underground filtration system in Sections 3.2.1 and 3.4.1 and the expedited initial Panel 6 closure portion of the plan identified in Sections 3.2.2 and 3.3.2 and provided comments on the plan on August 5, 2014. The Permittees responded to the comments and submitted the revised plan on September 30, 2014. The Permittees plan to leave this waste in place and implement the WIPP Nitrate Salt Bearing Waste Container Isolation Plan. The Permittees are preparing to implement this plan to expedite closure of Panel 6 and Panel 7, Room 7. The initial closure has been installed in Panel 5.