



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

NOV 24 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, Director
Resource Protection Division
New Mexico Environment Department
Harold Runnels Building
1190 Saint Francis Drive, PO Box 5469
Santa Fe, NM 87502-5469

Subject: Written Notice Regarding Application of Environmental Protection Agency
Hazardous Waste Number D001 to Waste Containers Disposed at the Waste
Isolation Pilot Plant

Reference 1: Los Alamos National Laboratory Correspondence from Charles McMillan,
Director and Kimberly Davis Lebak, Field Office Manager, Symbol: DIR-15-127,
LA-UR: 15-26713 to Ryan Flynn, NMED, dated August 31, 2015; Subject: Self-
Disclosure of Non-Compliances Resulting from the Extent of Condition Review,
Los Alamos National Laboratory Hazardous Waste Facility Permit No.
NM 0890010515

Reference 2: Los Alamos National Laboratory Correspondence from Michael T. Brandt,
Associate Director and Kimberly Davis Lebak, Field Office Manager, Symbol:
ADESH-15-016, LA-UR: 15-23218 to the U.S. Department of Energy - Carlsbad
Field Office, J.R. Stroble, Acting Assistant Manager, dated October 1, 2015;
Subject: Request for Correction of Waste Manifests at the Waste Isolation Pilot
Plant for a Revised Los Alamos National Laboratory Nitrate Salt-Bearing Waste
Inventory

Dear Mr. Kieling and Ms. Roberts:

The purpose of this letter is to provide you written notice that the U. S. Department of Energy, Carlsbad Field Office (CBFO) and Nuclear Waste Partnership LLC (NWP), Permittees of the Waste Isolation Pilot Plant (WIPP) facility, Hazardous Waste Facility Permit NM4890139088-TSDF (Permit), are provisionally applying EPA Hazardous Waste Number (code) D001 for the characteristic of ignitability to 66 additional waste containers that have been disposed at the WIPP facility. This is a follow-up to the verbal notification provided to you on November 10, 2015, at approximately 5:00 P.M.

The additions apply specifically to containers from Los Alamos National Laboratory (LANL) homogeneous solids waste stream LA-CIN01.001. These containers are located in the WIPP underground in Panel 6. Enclosure 1 contains a listing, by container number, of the containers to which the D001 code has been provisionally applied including their disposal locations and respective shipment numbers.

The provisional application of this code is based on information provided to the Permittees by LANL resulting from the referenced extent of condition evaluation at LANL and the October 1, 2015 letter requesting correction of waste manifests at the WIPP facility. LANL applied D001 to containers pending the outcome of sampling and analysis for nitrates. Therefore, the Permittees are also provisionally applying D001 pending the outcome of LANLs sampling and analysis. Because the evaluations and investigations are ongoing, the application of the D001

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code to these containers is considered provisional and the application of code(s) to containers and/or waste streams may change in the future. Subsequent to this written notification, the Permittees will provide an additional supplement to the "Report of Implementation of the WIPP RCRA Contingency Plan" and additional information describing the records that will be updated to reflect the application of the D001 code upon completion of LANL's sampling and analysis.

In accordance with Item 17 of the New Mexico Environment Department's (NMED) written comments on the WIPP Nitrate Salt Bearing Waste Container Isolation Plan, dated August 5, 2014, the Permittees are required to provide updates regarding the identification of other waste streams or drums that have been identified by the Permittees, LANL, NMED, or any other regulatory agency as requiring isolation. Once LANL has completed their evaluations, pursuant with the August 7, 2014 letter, the Permittees will provide the applicable updated information in a separate letter and will include the following: description of the discrepancy, discrepancy resolution, specific location of the currently identified waste containers that have the "provisional" assignment of EPA hazardous waste number D001, and discrepant hazardous waste manifests for the affected waste shipments.

The Permittees are continuing to operate the WIPP underground in filtration mode pursuant to the WIPP Nitrate Salt Bearing Waste Container Isolation Plan approved by the NMED on August 5, 2014, and March 30, 2015, so that an airborne release from any nitrate salt bearing waste containers, should it occur, will not pose a threat to human health or the environment. In addition, the Permittees have installed the initial closures in Panel 6, in accordance with the WIPP Nitrate Salt Bearing Waste Container Isolation Plan.

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 fines 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

Todd Shrader, Manager
Carlsbad Field Office

Philip J. Breidenbach, Project Manager
Nuclear Waste Partnership LLC

Enclosure

cc: w/enclosure

S. Holmes, NMED	*ED
R. Maestas, NMED	ED
C. Smith, NMED	ED
J. Sales, EPA	ED

CBFO M&RC

*ED denotes electronic distribution

**Enclosure 1: List of Additional Waste Containers Disposed at the WIPP Facility
to which D001 is Provisionally Applied**

#	Container ID#	EPA HWN	Waste Stream	Shipment #	Emplacement Location
1.	LA00000068302	D001	LA-CIN01.001	LA130177	Panel 6, Room 1, Row 52, Column 2, Height B
2.	LA00000068303	D001	LA-CIN01.001	LA130176	Panel 6, Room 1, Row 54, Column 4, Height B
3.	LA00000093842	D001	LA-CIN01.001	LA130110	Panel 6, Room 2, Row 71, Column 5, Height T
4.	LA00000093843	D001	LA-CIN01.001	LA130110	Panel 6, Room 2, Row 71, Column 5, Height T
5.	LA00000093844	D001	LA-CIN01.001	LA130110	Panel 6, Room 2, Row 62, Column 6, Height T
6.	LA00000093846	D001	LA-CIN01.001	LA130134	Panel 6, Room 2, Row 97, Column 3, Height T
7.	LA00000093847	D001	LA-CIN01.001	LA130131	Panel 6, Room 2, Row 91, Column 5, Height M
8.	LA00000093848	D001	LA-CIN01.001	LA130117	Panel 6, Room 2, Row 71, Column 1, Height M
9.	LA00000093859	D001	LA-CIN01.001	LA130125	Panel 6, Room 2, Row 88, Column 6, Height T
10.	LA00000093860	D001	LA-CIN01.001	LA130117	Panel 6, Room 2, Row 71, Column 1, Height M
11.	LA00000093861	D001	LA-CIN01.001	LA130110	Panel 6, Room 2, Row 62, Column 6, Height T
12.	LA00000093866	D001	LA-CIN01.001	LA130111	Panel 6, Room 2, Row 67, Column 3, Height T
13.	LA00000093867	D001	LA-CIN01.001	LA130113	Panel 6, Room 2, Row 67, Column 1, Height T
14.	LA00000093884	D001	LA-CIN01.001	LA130110	Panel 6, Room 2, Row 64, Column 2, Height T
15.	LA00000093885	D001	LA-CIN01.001	LA130132	Panel 6, Room 2, Row 91, Column 3, Height B
16.	LA00000093886	D001	LA-CIN01.001	LA130129	Panel 6, Room 2, Row 89, Column 5, Height B
17.	LA00000093900	D001	LA-CIN01.001	LA130111	Panel 6, Room 2, Row 66, Column 6, Height T
18.	LA00000093902	D001	LA-CIN01.001	LA130130	Panel 6, Room 2, Row 90, Column 4, Height M
19.	LA00000093903	D001	LA-CIN01.001	LA130118	Panel 6, Room 2, Row 74, Column 6, Height T
20.	LA00000093904	D001	LA-CIN01.001	LA130116	Panel 6, Room 2, Row 70, Column 2, Height T
21.	LA00000093906	D001	LA-CIN01.001	LA130136	Panel 6, Room 2, Row 97, Column 3, Height M
22.	LA00000093907	D001	LA-CIN01.001	LA130117	Panel 6, Room 2, Row 71, Column 3, Height B
23.	LA00000093909	D001	LA-CIN01.001	LA130113	Panel 6, Room 2, Row 67, Column 1, Height T
24.	LA00000093945	D001	LA-CIN01.001	LA130129	Panel 6, Room 2, Row 89, Column 5, Height T
25.	LA00000093947	D001	LA-CIN01.001	LA130128	Panel 6, Room 2, Row 90, Column 6, Height T
26.	LA00000093949	D001	LA-CIN01.001	LA130116	Panel 6, Room 2, Row 71, Column 1, Height B
27.	LA00000093962	D001	LA-CIN01.001	LA130119	Panel 6, Room 2, Row 75, Column 1, Height T
28.	LA00000093965	D001	LA-CIN01.001	LA130117	Panel 6, Room 2, Row 71, Column 1, Height M
29.	LA00000093976	D001	LA-CIN01.001	LA130117	Panel 6, Room 2, Row 71, Column 3, Height M

#	Container ID#	EPA HWN	Waste Stream	Shipment #	Emplacement Location
30.	LA00000094005	D001	LA-CIN01.001	LA130119	Panel 6, Room 2, Row 75, Column 1, Height T
31.	LA00000094007	D001	LA-CIN01.001	LA130119	Panel 6, Room 2, Row 75, Column 1, Height T
32.	LA00000094008	D001	LA-CIN01.001	LA130119	Panel 6, Room 2, Row 77, Column 1, Height T
33.	LA00000094011	D001	LA-CIN01.001	LA130132	Panel 6, Room 2, Row 91, Column 3, Height M
34.	LA00000094012	D001	LA-CIN01.001	LA130132	Panel 6, Room 2, Row 91, Column 3, Height M
35.	LA00000094013	D001	LA-CIN01.001	LA130131	Panel 6, Room 2, Row 91, Column 5, Height B
36.	LA00000094014	D001	LA-CIN01.001	LA130119	Panel 6, Room 2, Row 77, Column 1, Height T
37.	LA00000094016	D001	LA-CIN01.001	LA130119	Panel 6, Room 2, Row 77, Column 1, Height T
38.	LA00000094034	D001	LA-CIN01.001	LA130171	Panel 6, Room 1, Row 39, Column 3, Height B
39.	LA00000094036	D001	LA-CIN01.001	LA130131	Panel 6, Room 2, Row 91, Column 5, Height M
40.	LA00000094037	D001	LA-CIN01.001	LA130132	Panel 6, Room 2, Row 93, Column 5, Height M
41.	LA00000094050	D001	LA-CIN01.001	LA130131	Panel 6, Room 2, Row 91, Column 5, Height M
42.	LA00000094051	D001	LA-CIN01.001	LA130133	Panel 6, Room 2, Row 96, Column 2, Height M
43.	LA00000094069	D001	LA-CIN01.001	LA130130	Panel 6, Room 2, Row 91, Column 3, Height T
44.	LA00000094074	D001	LA-CIN01.001	LA130131	Panel 6, Room 2, Row 91, Column 5, Height B
45.	LA00000094075	D001	LA-CIN01.001	LA130132	Panel 6, Room 2, Row 91, Column 3, Height B
46.	LA00000094076	D001	LA-CIN01.001	LA130171	Panel 6, Room 1, Row 39, Column 3, Height B
47.	LA00000094078	D001	LA-CIN01.001	LA130173	Panel 6, Room 1, Row 49, Column 3, Height M
48.	LA00000094079	D001	LA-CIN01.001	LA130130	Panel 6, Room 2, Row 91, Column 3, Height T
49.	LA00000094087	D001	LA-CIN01.001	LA130134	Panel 6, Room 2, Row 97, Column 3, Height T
50.	LA00000094088	D001	LA-CIN01.001	LA130173	Panel 6, Room 1, Row 45, Column 1, Height T
51.	LA00000094142	D001	LA-CIN01.001	LA130150	Panel 6, Room 1, Row 4, Column 4, Height M
52.	LA00000094144	D001	LA-CIN01.001	LA130165	Panel 6, Room 1, Row 32, Column 6, Height B
53.	LA00000094145	D001	LA-CIN01.001	LA130167	Panel 6, Room 1, Row 35, Column 5, Height T
54.	LA00000094146	D001	LA-CIN01.001	LA130173	Panel 6, Room 1, Row 45, Column 1, Height T
55.	LA00000094203	D001	LA-CIN01.001	LA130167	Panel 6, Room 1, Row 33, Column 1, Height B
56.	LA00000094205	D001	LA-CIN01.001	LA130163	Panel 6, Room 1, Row 24, Column 2, Height B
57.	LA00000094206	D001	LA-CIN01.001	LA130163	Panel 6, Room 1, Row 31, Column 5, Height B
58.	LA00000094208	D001	LA-CIN01.001	LA130170	Panel 6, Room 1, Row 44, Column 4, Height B
59.	LA00000094209	D001	LA-CIN01.001	LA130159	Panel 6, Room 1, Row 22, Column 2, Height T
60.	LA00000094210	D001	LA-CIN01.001	LA130163	Panel 6, Room 1, Row 31, Column 5, Height B

#	Container ID#	EPA HWN	Waste Stream	Shipment #	Emplacement Location
61.	LA00000094212	D001	LA-CIN01.001	LA130161	Panel 6, Room 1, Row 23, Column 3, Height T
62.	LA00000094215	D001	LA-CIN01.001	LA130168	Panel 6, Room 1, Row 35, Column 5, Height M
63.	LA00000094217	D001	LA-CIN01.001	LA130163	Panel 6, Room 1, Row 31, Column 5, Height M
64.	LA00000094223	D001	LA-CIN01.001	LA130170	Panel 6, Room 1, Row 44, Column 4, Height B
65.	LA00000094225	D001	LA-CIN01.001	LA130161	Panel 6, Room 1, Row 23, Column 3, Height T
66.	LAS835376	D001	LA-CIN01.001	LA130072	Panel 6, Room 3, Row 143, Column 1, Height B