



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

**AUG 18 2014**

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

Mr. Tom Blaine, Division Director  
Environmental Health Division  
Harold Runnels Building  
1190 Saint Francis Drive, Room 4050  
Santa Fe, NM 87502-5469

Subject: Second 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 Mr. Blaine:

On April 11, 2014, the 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." The implementation of the RCRA Contingency Plan was in anticipation of investigation into 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 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 in accordance with 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 1

cc:  
T. Kliphuis, NMED \*ED  
CBFO M&RC  
\*ED denotes electronic distribution

## **Second 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 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." The implementation of the RCRA Contingency Plan was in anticipation of investigation into the source of a radiological release from the facility that occurred on February 14, 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 to the NMED on July 25, 2014.

### **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 associated with these containers that were provided by the generator at the time of characterization, and included in the approved waste stream profile form are D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D035, D038, D039, D040, F001, F002, and F005.

Because the video investigations show evidence of a thermal reaction in drum LA00000068660, LANL and the Permittees have initiated investigations to determine if the subject transuranic (TRU) mixed waste container or other containers from waste stream LA-MIN02-V.001 should be assigned an additional EPA hazardous waste number, such as the characteristic of ignitability (D001). Pending receipt of additional information, the Permittees have determined that the subject waste appears to have exhibited the characteristic of ignitability (D001) after disposal in the Waste Isolation Pilot Plant (WIPP) underground. Therefore, the Permittees believe the EPA Hazardous Waste Number D001 should be applied to up to 368 containers (this includes drum LA00000068660) from LANL waste stream LA-MIN02-V.001 that have been disposed of in Panel 6, Rooms 1 and 2 and Panel 7, Room 7 in the underground WIPP facility (Panel 6, Room 1 (222 containers); Panel 6, Room 2 (91 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 stream. The WIPP 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 2, 2014, the Permittees suspended the authorization for certification of certain waste streams, including LA-MIN02-V.001. This halted 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 bearing salt 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 Isolation Plan, which was submitted to the NMED on May 30, 2014. The Permittees plan on leaving these wastes in place and implementing the WIPP Nitrate Salt Bearing Waste Isolation Plan. The Permittees are implementing the initial closure portion of this plan which was approved by the NMED on August 5, 2014, to expedite closure of Panel 6 and Panel 7.