



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

FEB 26 2020

Mr. Kevin Pierard
Chief Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

Subject: Notice of Termination of the January 15, 2020, Implementation of the *Resource Conservation and Recovery Act Contingency Plan* at the Waste Isolation Pilot Plant Facility, Hazardous Waste Facility Permit Number NM 4890139088-TSDF

Reference: CBFO letter CBFO:OEP:MRB:ER:20-0208:UFC 5487.00 from Gregory Sosson, Carlsbad Field Office, and Sean Dunagan, Nuclear Waste Partnership LLC, to Kevin Pierard, Bureau Chief, Hazardous Waste Bureau dated January 28, 2020; Subject: Report of Implementation of the Resource Conservation and Recovery Act Contingency Plan at the Waste Isolation Pilot Plant Facility on January 15, 2020, Number NM 4890139088-TSDF

Dear Mr. Pierard:

The purpose of this letter is to provide you written notification that on February 1, 2020, the Permittees terminated the January 15, 2020, Implementation of the *Resource Conservation and Recovery Act (RCRA) Contingency Plan* identified in the referenced letter.

The referenced *Report of Implementation* identified that the Permittees implemented the Waste Isolation Pilot Plant (WIPP) facility *RCRA Contingency Plan* on January 15, 2020, in order to evaluate the condition of a ten-drum overpack (TDOP) (Container Identification Number BN10671740) in the Contact-Handled (CH) Bay of the Waste Handling Building (WHB) Container Storage Unit. The Permittees received this TDOP at the WIPP facility in a shipment from the Idaho National Laboratory (INL) (Shipment Number IN200003). Upon lifting the TDOP from the TRUPACT-II, the Permittees identified a potential small puncture (hole). The Permittees lowered the TDOP back into the TRUPACT-II container. During an investigation conducted on February 1, 2020, the Permittees determined there was no hole that penetrated the wall of the TDOP container. Consequently, the Permittees terminated the implementation of the *RCRA Contingency Plan*. The Permittees emplaced the TDOP in Room 3 of Panel 7 on February 3, 2020.

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.

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Mr. Kevin Pierard

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If you have any questions regarding this notification, please call Mr. Michael R. Brown at (575) 234-7476.

Sincerely,

Signatures on File

Gregory Sosson
Acting Manager
Carlsbad Field Office

Sean Dunagan
President and Project Manager
Nuclear Waste Partnership LLC

cc:

R. Maestas, NMED *ED

D. Biswell, NMED ED

M. McLean, NMED ED

CBFO M&RC

*ED denotes electronic distribution