



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

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

JUL 29 2015

Ms. Kathryn Roberts, Director
Resource Protection Division
New Mexico Environment Department
Harold Runnels Building
1190 Saint Francis Drive, Room 4050
Santa Fe, NM 87502-5469

Subject: Written Notice Regarding Final Application of Environmental Protection Agency Hazardous Waste Numbers D001 and D002 to Waste Containers Disposed at the Waste Isolation Pilot Plant

Reference: New Mexico Environment Department Correspondence from Ryan Flynn, Secretary, to Jose Franco, Manager, Carlsbad Field Office, and Robert L. McQuinn, Project Manager, Nuclear Waste Partnership LLC, dated August 5, 2014, subject: WIPP Nitrate Salt Bearing Waste Container Isolation Plan, Waste Isolation Pilot Plant, EPA I.D. Number NM7890139088

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), have completed applicable changes to the WIPP Operating Record regarding the final (i.e. not provisional) application of EPA Hazardous Waste Numbers (HWNs) D001 and D002 for the characteristics of ignitability and corrosivity to certain nitrate salt-bearing waste containers that have been disposed at the WIPP facility. These HWN additions impact a total of 683 containers and 148 associated Uniform Hazardous Waste Manifests. The Permittees have submitted written notifications to the New Mexico Environment Department (NMED) regarding the provisional application of these HWNs to containers on the following separate occasions: July 30, 2014; March 23, 2015; May 8, 2015; September 16, 2015; and November 24, 2015.

The application of these HWNs is based on the information provided to the Permittees by Los Alamos National Laboratory (LANL) resulting from the Extent of Condition evaluations conducted by LANL and concurrence letters from LANL and the Idaho National Laboratory (INL) for correction of hazardous waste manifest discrepancies associated with containers shipped from LANL and INL to the WIPP facility.

On September 5, 2014, and September 17, 2014, the Permittees responded to the NMED's request for additional information relative to the July 30, 2014, written notification of the provisional application of HWN D001 to 368 containers from LANL waste stream LA-MIN.02-V.001 that have been disposed at the WIPP facility. This response included the corrected hazardous waste manifests associated with those containers.

Los Alamos National Laboratory concluded the Extent of Condition review and documented the results in November 2015. Therefore, pursuant to Item 17 of the NMED's written comments on the *WIPP Nitrate Salt Bearing Waste Container Isolation Plan*, dated August 5, 2014, the Permittees are providing the applicable updated information in accordance with the subsequent written notifications. This information includes the following: a description of the discrepancy, the discrepancy resolution, copies of the discrepant hazardous waste manifests for the affected waste shipments, and the specific location of the waste containers emplaced at the WIPP facility to which D001 and D002 have been applied. This information is enclosed in both hard copy format and electronically on compact disc.

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

Enclosures

cc: (w/ enclosure)

R. Maestas, NMED *ED

C. Smith, NMED ED

J. Sales, EPA ED

CBFO M&RC

*ED denotes electronic distribution