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Date: **SEP 04 2013**
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CERTIFIED MAIL - RETURN RECEIPT REQUESTED **RECEIVED**

Mr. Timothy Hall, STP Project Manager
 Hazardous Waste Bureau
 New Mexico Environment Department
 2905 Rodeo Park Drive East, Building 1
 Santa Fe, New Mexico 87505-6303

SEP 4 2013
NMED
Hazardous Waste Bureau

Dear Mr. Hall:

SUBJECT: PROPOSED EXTENSION OF COMPLIANCE DATES FOR ACTIVITY 3.2 (J) IN THE LOS ALAMOS NATIONAL LABORATORY SITE TREATMENT PLAN (STP) FISCAL YEAR 2011 (FY11) UPDATE

The Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) request an extension of a Compliance Plan milestone in the Site Treatment Plan (STP) for *High Activity Waste* (LA-W934). *High Activity Waste* is described in Section 3.2 of the Compliance Plan (Mixed Waste Requiring Further Characterization or for which Technology Assessment Has Not Been Done). Activity 3.2 (J) requires that LANL “complete shipping of wastes to an off-site treatment facility, or submit documentation assigning waste items to applicable treatability groups or complete parallel option.”

1. Compliance Dates and Waste Description
 Current approved compliance date: December 31, 2013
 Proposed compliance date: June 30, 2018

The five *High Activity Waste* items remaining in the inventory at the Los Alamos National Laboratory (LANL) as of July 31, 2013 (having a total volume of 1.2985 cubic meters) are identified in Table 1.



Table 1. Remaining High Activity Waste in LANL's MLLW Inventory

Container Number	Description	Associated EPA Codes	Volume (m ³)
C00130818	Tritium traps with mercury contamination	D009	0.0125
C09203611	Mole sieves and squib assemblies with very high tritium	D008	0.3215
C09203612	Mole sieves and squib assemblies with very high tritium	D008	0.3215
C09203613	Mole sieves and squib assemblies with very high tritium	D008	0.3215
C09203614	Mole sieves and squib assemblies with very high tritium	D008	0.3215
TOTAL (5 items)			1.2985

2. Treatment Processes

Treatment processes for the *High Activity Waste* items have included sorting and segregation, macroencapsulation, amalgamation, reaction and stabilization at commercial facilities to meet Land Disposal Restrictions.

3. Availability of Off-site Treatment and Disposal

The remaining five containers of High Activity Waste are not currently shippable for treatment and disposal. To comply with Department of Transportation (DOT) regulations, this high-activity waste requires use of a compliant Type-B shipping package. In addition, this compliant shipping package needs to meet offsite facilities' acceptance criteria (gas pressure, void space, the potential for liquid and high activity levels associated with tritium). A revised Certificate of Compliance for the 10-160B shipping cask is needed to transport these containers offsite. As of this date, DOE/LANS have been unable to identify an available Type B shipping container anywhere in the United States having a current, approved Certificate of Compliance with the appropriate specifications to allow for DOT-compliant shipment of any of the five remaining *High Activity Waste* containers.

4. Justification for Extension of Activity 3.2(J)

DOE/LANS have become concerned that despite ongoing efforts, container packaging issues, Treatment, Storage and Disposal (TSD) facility Waste Acceptance Criteria (WAC) issues, or transportation unavailability (or some combination) are likely to prevent shipment of one or more of the five remaining items before December 31, 2013, and that therefore the most prudent course is to request this compliance date extension without further delay. As a consequence, this request is being made to support the option discussed below.

There are currently no operational on-site facilities that are authorized to open these containers for repackaging or additional characterization (if necessary prior to shipment offsite for disposal). One non-RCRA-permitted facility at TA-16 has the engineering controls needed to handle high-activity tritium waste, but its Authorization Basis to operate is not yet approved. DOE approval of the required Authorization Basis change may not be completed until October 2016.

While the Authorization Basis is being finalized, DOE/LANS will also request and seek approval of a RCRA Temporary Authorization pursuant to 40 CFR 270.42(e) in order to perform the work at TA-16. Opening, characterizing and repackaging each drum may take 30 days. Since these containers cannot be removed from the TA-54 permitted unit for more than one day (24 hour period), an approved Temporary Authorization will be required to stage the containers at TA-16 while the work is performed there. It is anticipated that a Temporary Authorization will be requested by May 2017, and NMED approval will be received by December 2017. Completing activities under the approved Temporary Authorization (including closure) would occur within the following 180 days, or by June 30, 2018.

Based on all the prerequisite process steps above, and the start of characterization/repackaging activities immediately upon receipt of the approved Temporary Authorization, DOE/LANS hereby requests an extension of the milestone for shipment of the *High Activity Waste* items until June 30, 2018. As always, receipt of an extension will in no way slow the ongoing efforts to ship all five remaining items as quickly as possible.

In accordance with the requirements of Section XX, "*Documents, Information, and Reporting Requirements*," of the FFCO, we certify, as the project managers responsible for overseeing the implementation of the Site Treatment Plan for DOE/LANS, that, to the best of our knowledge and belief, the information in this document is true, accurate, and complete.

Sincerely,

Sincerely,



Monica Noll
STP Project Manager
Waste Management Programs (WM-PROG)
Los Alamos National Security, LLC



Andrew Worker
STP Project Manager
Los Alamos Site Office
National Nuclear Security Administration

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