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**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

August 26, 2015

Andrew Worker  
National Security Missions  
Los Alamos Site Office  
3747 West Jemez Road, MS A316  
Los Alamos, NM 87454

Monica Noll  
Waste Management Generator Service Group  
Waste Management Division  
P.O. Box 1663, MS-K9964  
Los Alamos, NM 87545

**RE: DISAPPROVAL  
SUBMITTAL OF SITE TREATMENT PLAN FISCAL YEAR 2014  
UPDATE AND PROPOSED REVISION 25.0, LOS ALAMOS NATIONAL  
LABORATORY, FEDERAL FACILITY COMPLIANCE ORDER,  
OCTOBER 4, 1995.  
EPA ID #NM0890010515  
HWB-LANL-15-011**

Dear Mr. Worker and Ms. Noll:

The New Mexico Environment Department (NMED) has received the United States Department of Energy (DOE) and the Los Alamos National Security, LLC (LANS) (collectively, the Respondents) *Submittal of Site Treatment Plan, Fiscal Year 2014 Update and Proposed Revision 25.0 (STP Annual Report), Los Alamos National Laboratory, Federal Facility Compliance Order, October 4, 1995* dated and received March 31, 2015, and referenced by LA-UR-15-21918.

NMED has reviewed the 2012, and 2013 STP Annual Reports (Revisions 23.0 and 24.0) and has no comments at this time.

NMED has reviewed the 2014 STP Annual Report, and hereby issues this disapproval letter with the following comments:

37251



**Comments:**

**1) Part III, Table of Contents 3.1.8 Compressed Gas Requiring Scrubbing, pg. iv:**

NMED notes that the entry in this table of contents does not contain a page number and instead includes the following “**Error! Bookmark not defined**”. The Respondents must correct this error in future site treatment plans (STPs).

**2) Part I, Table 2.2-1 Covered MTRU Inventory Summary, p.4:**

The Respondents list 395.872 m<sup>3</sup> of covered mixed TRU (MTRU) waste shipped in FY14 as being on hold per the NMED. This statement is consistent with the direction provided from NMED in its *Response to Deletion of Waste Under the Federal Facility Compliance Order*, dated January 14, 2015. However, in March 2015, NMED approved of the WIPP closure plan for Panels 6 and 7, thereby making waste stored underground at WIPP inaccessible for future re-remediation actions. NMED hereby approves of the deletion of waste stored below ground at the WIPP facility from the Annual STP. Adjust the listed volume of waste currently stored in Panels 6 and 7 from 395.872 to -395.872.

**3) Part I, 4.1.2 Offsite DOE Treatment Facilities, p. 7:**

NMED notes that nine corrugated metal boxes (CMBs) were treated at Idaho National Laboratory and sent to WCS in 2014 for storage until WIPP is reopened to accept waste. Provide the shipment manifest associated with this movement of CMBs to WCS to complete the administrative record and to demonstrate that no waste was returned to Los Alamos National Laboratory.

**4) Part II, 5.0 Proposed Changes to the Compliance Plan Schedule, IV Justification, p. 11:**

The Respondents state: “*LA-W935, (MLLW containers that may be related to remediate TRU containers that contained nitrate salts) are restricted from being shipped during the investigation into the cause of the drum event at WIPP. Until a determination is made by DOE/LANS, these drums are to be stored at LANL until it is acceptable to ship.*” It is unclear how these MLLW containers are related to the MTRU nitrate salt-bearing waste currently in isolation under the Nitrate Salt Isolation Plan. It is also unclear from this statement and Table 3.3.4-1 Treatability Groups for 10-100nCi/g Waste provided (p.28), if the MLLW LA-935 waste requires the D001 waste code (for ignitability). The Respondents must revise this section to include a description of how this waste was generated, and how this waste is related to the isolated nitrate salt-bearing waste. In addition, please describe the amount of nitrate salt, and the amount of organic constituents present in the LA-W935 waste. Either assign D001 to these containers or provide a justification for not conservatively assigning D001. The justification must include all documents referenced unless already provided to NMED.

**5) Appendix I: Table I-2 Correspondence, p.59:**

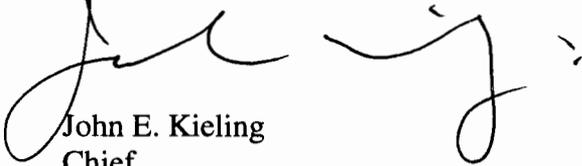
The Respondents list correspondence spanning from federal fiscal year 2014 (FY14) which began on October 1, 2013, and ended September 30, 2014. Documents delivered during FY14 should therefore correspond to Revision 25 and not 24 (FY13). Correct the list to reflect that documents delivered during FY14 are not listed in Revision 24.

Mr. Worker and Ms. Noll  
August 26, 2015  
Page 3

The Respondents must submit two hard copies of the revised STP FY14 Update and Revision 25.0, respond to comments in a letter cross-referencing NMED's numbered comments, and provide an electronic redline-strikeout version of the STP FY14 update and revision 25.0 to NMED by **September 30, 2015**.

Should you have any questions or comments, please contact Siona Briley at (505)-476-6049.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB  
N. Dhawan, NMED HWB  
S. Briley, NMED HWB  
S. Yanicak, NMED DOE OB, MS J993  
M. Bishop, LASO-EO, A316  
A. Dorries ENV-DO

File: LANL - Site Treatment Plan for Annual Year 2014.