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NEW MEXICO
ENVIRONMENT DEPARTMENT

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Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 20, 2019

Adrienne Nash, STP Project Manager
National Nuclear Security Administration
Los Alamos Field Office
3747 West Jemez Rd, MS A316
Los Alamos, NM 87544

Avril Millensted, STP Project Manager
Waste Management Program,
Triad National Security, L.L.C.
P.O. Box 1663, MS M969
Los Alamos, NM 87545

RE: REVIEW
RESUBMITTAL OF THE NOTICE OF COMPLETION OF EXPEDITED OFF-SITE WASTE SHIPMENT ACTIVITY 3.3.4 (B AND C), COMPLIANCE PLAN, SITE TREATMENT PLAN, FEDERAL FACILITY COMPLIANCE ORDER, LOS ALAMOS NATIONAL LABORATORY
EPA ID#NM0890010515
HWB-LANL-19-001

Dear Ms. Nash and Ms. Millensted:

The New Mexico Environment Department (NMED) has received the Department of Energy (DOE) and Triad National Security LLC (Triad), collectively the Respondents' *Resubmittal of the Notice of Completion of Expedited Off-Site Waste Shipment for Activity 3.3.4 (B and C), Compliance Plan, Site Treatment Plan, Federal Facility Compliance Order, Los Alamos National Laboratory* (Resubmittal) dated and received March 7, 2019 and referenced by EPC-DO-19-063/LA-UR-19-21725.

This Resubmittal replaces the January 7, 2019 submittal *Notice of Completion of Expedited Off-Site Waste Shipment for Activity 3.3.4 (B and C), Compliance Plan, Site Treatment Plan, Federal Facility Compliance Order, Los Alamos National Laboratory* referenced by EPC-DO-18-438 and LA-UR-18-31245.

The Annual Update to the Site Treatment Plan (STP) for Fiscal Year 2016, Part III, Section 3.3.4, Table 3.3.4-2 Activity (C) requires that the Respondents "[P]rovide documentation to

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NMED that waste was received at offsite facility or provide notification of parallel option" and provides a compliance date of "[W]ithin 45 days of receipt of waste at treatment facility or within 45 days after completion of parallel option". The Respondents have failed to notify NMED within 45-days of the waste being received for three separate waste shipments of May 23, August 17, and September 13, 2017 in FY2017. For example, for waste manifest 006641098FLE, waste was received by Waste Control Specialists (WCS) on May 23, 2017 and NMED was notified 406 work days after WCS received the waste.

During the January 24, 2019 phone call, the Respondents agreed to resubmit the notification and provide an explanation for not submitting the notification within the required 45-day time frame and to correct Table 1, STP-Covered Mixed Low-Level Waste Shipments.

NMED has reviewed the Resubmittal and finds that Table 1 has been corrected. NMED notes that the Respondents did not provide an explanation for why the three notifications were not originally submitted to NMED within 45-days of being received by the off-site receiving facilities, as required by the STP. The Respondents have instead provided the timeline of when this oversight was discovered and what steps were taken to notify NMED.

The Respondents must review internal procedures which lead to this oversight, and must ensure that future waste shipment notifications of off-site waste shipments are submitted to NMED within 45-days of the waste being received by the facility.

NMED has also reviewed the shipment activity and enclosed manifest and has no additional comments.

If you have any questions regarding this letter, please contact Siona Briley at (505) 476-6049.

Sincerely,

John E. Kieling
Chief
Hazardous Waste Bureau

cc:

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S. Briley, NMED HWB
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LANL-19-001