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Los Alamos

NATIONAL LABORATORY

memorandum

EXPLOSIVES TECHNOLOGY & SAFETY
DX-16

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NMED INSPECTION FINDINGS AT TA-9

At the out-briefing on September 22, 1994, on the NMED Inspection two findings at TA-9 were mentioned. They were:

1. Unlabeled vials in the satellite storage area at TA-9-21-121, and
2. Waste in the <90 day storage area at the transportainer adjacent to TA-9-39 was unlabeled.

Corrective actions were immediately taken by DX-16 personnel to address both of these findings (September 20, 1994). However, we would like to express some concerns about guidance related to complying with LANL, DOE, and NM rules and regulations related to the above findings.

In the first case, we considered the material in the vials to be "in process" until the series of analyses were completed (or at the end of the day, whichever comes first) at which time the vials are emptied into a large properly labeled container. We have a similar operation (the impact test) where "waste" is accumulated in a plastic bag (and sealed after each addition) until the operation is completed, at which time the bag is labeled and placed in the satellite storage container. During the time of operation the kimwipes are considered "in process" until the operation is completed and then they are declared waste. We feel that this procedure does not increase the risk related to the hazardous waste, and indeed, results in waste minimization because a plastic bag is not needed for each kimwipe. This operation was discussed with Michelle Cash, the operator and the waste coordinator on June 28, 1994, and Michelle (ESH-8) agreed that this was a more reasonable procedure. The vials mentioned in the first finding, result from a series of analytical chemistry tests and hence were considered as "in process" until the series was completed. This a continual concern to us as to when a material transitions from being "in process" to "waste" and whether the interpretations of our operators, Laboratory ES&H personnel, and regulatory officials are compatible.

In the second case, there was also some confusion related to waste being stored in the transportainer adjacent to TA-9-39, as to whether the Hazardous Waste label had to be physically attached to small containers. Our guidance was that the label must only accompany the material. In the present case, a hazardous waste label, with a start date, was with the waste but not physically attached and hence resulted in a finding. At the out-briefing, the auditor acknowledged that the label did exist and was filled out properly, but the waste would still have to be classified as "unlabeled."



We also note that in DX-16 we deal with small containers ranging from small vials to those the size of Coke cans. In these cases either the Hazardous Waste label would be too large or would cover the description of the waste. The Checklist for WMC-Inspection of Satellite Accumulation Area given to us by ESH-8 states that "if you have small containers that the hazardous waste label will not fit on, then you can label the tray or box the containers are placed in". The NMED inspector at the time of the audit stated that this was incorrect and each item must be labeled "hazardous waste," and that one could just write hazardous waste and the accumulation date on the container. Although these seem like fine differences, not doing the "correct" one could result in a finding.

We would like to reiterate our commitment in DX-16 to comply with all Laboratory, DOE, and State regulations, however, we still need guidance related to those gray areas between the spirit of the law and the letter of the law.

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10/19/94 9:34 Am Michelle Cash

verified with Gordon Jio that there were two areas with the same apparent finding (TA-9-39 transpertainer and TA-9-39 magazine). The corrective action taken was the labels were affixed to the container.