

Permit

ENTERED



Environmental Protection Division  
Water Quality & RCRA Group (ENV-RCRA)  
P.O. Box 1663, Mail Stop K490  
Los Alamos, New Mexico 87545  
(505) 667-0666

National Nuclear Security Administrations  
Los Alamos Site Office, A316  
3747 West Jemez Road  
Los Alamos, New Mexico 87545  
(505) 667-5794/FAX (505)667-5948

NOV 29 2012

Date:  
Refer To: ENV-RCRA-12-0254  
LAUR: 12-26381

Mr. John E. Kieling  
Bureau Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303



Dear Mr. Kieling:

**SUBJECT: LOS ALAMOS NATIONAL LABORATORY HAZARDOUS WASTE FACILITY PERMIT INSTANCES OF NONCOMPLIANCE AND RELEASES FOR FISCAL YEAR 2012**

The purpose of this letter is to transmit to the New Mexico Environment Department- Hazardous Waste Bureau a report required by Section 1.9.14 of the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (the Permit). The report lists instances of noncompliance with the Permit and any releases at or from a permitted unit that did not pose a threat to human health or the environment. From October 1, 2011 through September 30, 2012 there were no releases within or from a permitted unit. The enclosed report provides information on fourteen instances of noncompliance that were recorded throughout fiscal year 2012.

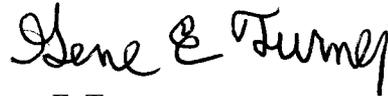
If you have questions about the report or would like to discuss any of the contents further, please contact Mark Haagenstad at (505) 665-2014 of the Water Quality and RCRA Group (ENV-RCRA), or Gene Turner, Los Alamos Site Office at (505) 667-5794.

Sincerely,



Michael T. Saladen  
Group Leader, (Acting)  
Water Quality & RCRA Group (ENV-RCRA)

Sincerely,



Gene E. Turner  
Environmental Permitting Manager  
Environmental Projects Office  
Los Alamos Site Office  
U.S. Department of Energy

MTS:GET:LVH/lm

Enclosure: 1. Fiscal Year 2012 Reporting of Instances of Noncompliance and Releases, Los Alamos National Laboratory Hazardous Waste Facility Permit

Cy: Carl A. Beard, PADOPS, w/o enc., A102  
Michael T. Brandt, ADESH, w/o enc., (E-File)  
Alison M. Dorries, ENV-DO, w/enc., (E-File)  
Robert Mason, TA55-DO, w/enc., (E-File)  
Anthony R. Stanford, CMR-DO, w/enc., (E-File)  
Kathryn Johns-Hughes, LTP, w/enc., (E-File)  
Andrew R. Baumer, LTP, w/enc., (E-File)  
Steven M. Henry, EWMO-DO, w/enc., (E-File)  
Mark P. Haagenstad, ENV-DO, w/enc., (E-File)  
Luciana Vigil-Holterman, w/enc., (E-File)  
Jeff A. Carmichael, ENV-RCRA, w/enc., (E-File)  
Stephen G. Cossey, ENV-ES, w/enc., (E-File)  
Kathryn M. Roberts, REG-SP, w/enc., (E-File)  
IRM-RMMSO, w/enc., (E-File)  
ENV-RCRA Correspondence File, w/enc., K490

# **ENCLOSURE 1**

## **FISCAL YEAR 2012 REPORTING OF INSTANCES OF NONCOMPLIANCE AND RELEASES, LOS ALAMOS NATIONAL LABORATORY HAZARDOUS WASTE FACILITY PERMIT**

ENV-RCRA-12-0254

LAUR-12-26381

**NOV 29 2012**

Date: \_\_\_\_\_

**Fiscal Year 2012 Reporting of Instances of Noncompliance and Releases**  
**Los Alamos National Laboratory Hazardous Waste Facility Permit**

Introduction

This report has been prepared by the US Department of Energy and Los Alamos National Security, LLC (DOE/LANS), collectively the Permittees, to meet a reporting requirement of the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (the Permit). Permit Sections 1.9.13 and 1.9.14 require reporting of any non-threatening release of hazardous waste or constituents from or at a permitted unit, and all instances of noncompliance with the Permit. This report must be submitted by December 1 of each year, and addresses information from October 1, 2011 through September 30, 2012. None of the releases or incidents of noncompliance detailed within this report posed a potential threat to human health or the environment.

Facility Information

Owner and Operator:  
United States Department of Energy  
3747 West Jemez Road  
Los Alamos, NM 87544

Co-Operator:  
Los Alamos National Security, LLC.  
PO Box 1663  
Los Alamos, NM 87545

Facility:  
Los Alamos National Laboratory  
PO Box 1663  
Los Alamos, NM 87545

Releases from or at a Permitted Unit

During this time frame (October 1, 2011 through September 30, 2012), there were no releases at or from a permitted unit.

Instances of Noncompliance with the Permit

From October 1, 2011 through September 30, 2012, there were 14 instances of noncompliance with the Permit. Table 1 provides the information for each of the occurrences of noncompliance. The majority of the occurrences of noncompliance are associated with documentation and record keeping requirements such as missing information on inspection record forms and late additions to the LANL public reading rooms. Additionally there were two instances where public notification was not made within the required time frame. The remaining occurrences of noncompliance were with physical permit conditions such as aisle spacing, secondary containment requirements, and failure to mitigate compromised containers within 24 hours. For a large portion of the instances noted in Table 1, the personnel responsible for ensuring compliance with the requirements have been reminded of the applicability and consequences associated with the permit requirements to facilitate compliance and prevent reoccurrence of noncompliance. Where other actions that will help prevent reoccurrences were implemented, Table 1 specifically discusses those activities.

**Table 1: Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit**

<b>Date of Discovery</b>	<b>Permitted Unit Location</b>	<b>Noncompliance</b>	<b>Quantity of Material</b>	<b>Period of Noncompliance</b>	<b>Steps taken to resolve</b>
02/04/2012	TA-54 Area G, Building 33	A single container was discovered with a tag indicating that the drum contained liquid and the container was not on secondary containment.	Single container	02/04/2012 – 02/07/2012	The container was placed on secondary containment.
02/23/2012	TA-54 Area G, Building 33	A single container was discovered with a tag indicating that the drum contained liquid and the container was not on secondary containment.	Single container	02/23/2012 – 02/25/2012	The container was placed on secondary containment.
03/12/2012	Not applicable	Submittal of the 2011 Biennial Hazardous Waste Report to the electronic and hardcopy public reading rooms was not complete after the 10 days required by the Permit. The report was delivered on 02/28/2012 and the reading room submittal occurred on 03/12/2012.	Not applicable	03/09/2012 – 03/12/2012	At the time that the oversight was discovered, the report was submitted to both the electronic and hardcopy public reading rooms.
03/12/2012	Not applicable	An email notification with a link to the submittal of the 2011 Biennial Hazardous Waste Report was not complete after the 7 days required by the Permit. The email was sent to the mailing list on 03/16/2012 instead of on or before 03/06/2012.	Not applicable	03/06/2012 – 03/16/2012	At the time that the oversight was discovered, the report was submitted to both the electronic and hardcopy public reading rooms. An email notification was generated and sent to the mailing list as required.
04/17/2012	TA-54-231, Pad 9	An inspection record form for the week ending 07/24/2011 was discovered to be missing information.	Not applicable	07/22/2011 – 04/17/2012	An addendum was drafted and signed by personnel responsible for the weekly inspection to correct the missing information.

**Table 1: Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit (continued)**

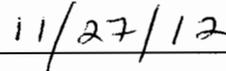
<b>Date of Discovery</b>	<b>Permitted Unit Location</b>	<b>Noncompliance</b>	<b>Quantity of Material</b>	<b>Period of Noncompliance</b>	<b>Steps taken to resolve</b>
04/17/2012	TA-54 Area G, Pad 1; TA-54 Area G, Pad 3; TA-54 Area G, Pad 5; TA-54 Area G, Pad 6; TA-54 Area G, Pad 9; TA-54 Area G, Pad 10; and TA-54 Area G, Pad 11	An inspection record form for the week ending 06/05/2011 was found to be missing at the time of inspection.	Not applicable	06/03/2011 - 04/17/2012	An addendum was drafted detailing that although the individual that performed the inspection is no longer employed at the units, the time that the inspection was conducted can be documented by the badge reader database for TA-54, Area G.
04/17/2012	TA-50-69 Indoor and TA-50-69 Outdoor Pad	An inspection record form for the week ending 01/01/2012 was found to be missing at the time of inspection.	Not applicable	12/28/2011 - 04/18/2012	An addendum was drafted and signed by the personnel responsible for the weekly inspection to add the missing information to the record.
4/19/2012	TA-54, Dome 229, Pad 9	A compromised container was identified and could not be mitigated within 24 hours of discovery.	Single container	04/19/2012 – 04/20/2012	The container was overpacked.
06/21/2012	TA-54 Area G, Pad 1; TA-54 Area G, Pad 3; TA-54 Area G, Pad 5; TA-54 Area G, Pad 6; TA-54 Area G, Pad 9; TA-54 Area G, Pad 10; and TA-54 Area G, Pad 11	Inspection record forms for the general weekly inspections of TA-54 Area G were found to be missing information for a site identification number, because a number was never issued for the general area-wide inspections.	Not applicable	12/30/2010 – 06/21/2012	A site identification number was established to document the weekly inspections that cover general outdoor aspects for units at TA-54 Area G. This site identification number is now included on the inspection record form as required by the Inspection Plan (Attachment E).
07/03/2012	TA-54 Area L Container Storage Unit	An eyewash station within the unit was found to have an expired inspection date.	Not applicable	07/03/2012 – 08/01/2012	Tag containing eyewash inspection information was updated.
07/17/2012	TA-55-4, K13	Insufficient aisle space was discovered within the storage unit due to the dimensions of a single container placed in the permitted unit.	Single container	07/17/2012	Storage operations personnel promptly removed the container from the unit and proper aisle space was restored. Personnel were reminded that adequate aisle space must be maintained at all times.

**Table 1: Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit (continued)**

<b>Date of Discovery</b>	<b>Permitted Unit Location</b>	<b>Noncompliance</b>	<b>Quantity of Material</b>	<b>Period of Noncompliance</b>	<b>Steps taken to resolve</b>
07/18/2012	TA-55-4-401 Mixed Waste Storage Tank Unit and TA-55-4-401 Mixed Waste Stabilization Unit	During periods of no use for the units (tanks were empty and no treatment occurred) inspection conducted for the units did not include all of the information required by the Inspection Plan (Attachment E).	Not applicable	03/21/2011 – 04/10/2011 09/12/2011 – 05/14/2012	At the time of discovery, records were reviewed to ensure that no issues or problems were identified when the units resumed operations. Additionally, it was determined that there was not a clear understanding for the inspection requirements among operations personnel. Therefore, personnel were trained on inspection requirements to prevent reoccurrence.
08/02/2012	TA-54 Area L Container Storage Unit	A 5-gallon bucket located within building 54-39 was found to have an unreadable label.	Single container	08/02/2012 – 08/10/2012	The bucket was labeled with contents.
10/16/2012	Not applicable	A public notice mailing was not sent to the facility mailing list at least 30 days before training on the LANL electronic public reading room; however, newspaper advertisements were conducted 30 days prior to the training.	Not applicable	09/21/2012 – 10/17/2012	As soon as the oversight was discovered, mailings were put together and mailed out to the list. An email notification to the LANL-maintained list was also sent out to inform the public about the training.

### CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my 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 my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

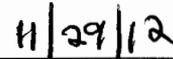


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**Alison M. Dorries**  
Division Leader  
Environment Protection Division  
Los Alamos National Laboratory  
Operator

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**Date Signed**



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**Gene E. Turner**  
Environmental Permitting Manager, Los Alamos Site Office  
National Nuclear Security Administration  
U.S. Department of Energy  
Owner/Operator

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**Date Signed**