



Permit



ENTERED

Environmental Protection Division
Environmental Compliance Programs (ENV-CP)
PO Box 1663, K490
Los Alamos, New Mexico 87545
(505) 667-0666

National Nuclear Security Administration
Los Alamos Field Office, A316
3747 West Jemez Road
Los Alamos, New Mexico, 87545
(505) 667-5794/Fax (505) 667-5948

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Locates Action No.: N/A

RECEIVED

NOV 26 2014

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

NMED
Hazardous Waste Bureau

Dear Mr. Kieling:

Subject: Los Alamos National Laboratory Hazardous Waste Facility Permit Instances of Noncompliance and Releases for Fiscal Year 2014

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, 2013 through September 30, 2014 there were no releases within or from a permitted unit. The enclosed report provides information on seventy six instances that were recorded throughout fiscal year 2014.

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 Environmental Compliance Programs (ENV-CP), or Gene Turner, Los Alamos Field Office at (505) 667-5794.

Sincerely,

Anthony R. Grieggs
Group Leader
Environmental Compliance Programs
Los Alamos National Security, LLC

Sincerely,

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



ARG:GET:MPH:CLJ/lm

Enclosure: (1) Fiscal Year 2014 Reporting of Instances of Noncompliance and Releases Los Alamos
National Laboratory Hazardous Waste Facility Permit

Cy: Gene E. Turner, NA-LA, (E-File)
Kirsten Laskey, NA-LA, (E-File)
Carl A. Beard, PADOPS, (E-File to aosburn@lanl.gov)
Michael T. Brandt, ADESH, (E-File)
Raeanna Sharp-Geiger, ADESH, (E-File)
Alison M. Dorries, ENV-DO, (E-File)
Robert Mason, TA-55-DO, (E-File)
Timothy Nelson, PSI, (E-File)
Rick Alexander, EWMO-DO, (E-File)
Steve Clemmons, LTP, (E-File)
Randy Johnson, DESH-TA-55, (E-File)
Bob Stokes, DSESH-EWMO, (E-File)
Steve Singledecker, WM-SVS, (E-File)
Mark P. Haagenstad, ENV-CP, (E-File)
Luciana R. Vigil-Holterman, ENV-CP, (E-File)
Jeff A. Carmichael, ENV-CP, (E-File)
Catherine L. Juarez, ENV-CP, (E-File)
Elizabeth English, CAP, (E-File)
lasomailbox@nnsa.doe.gov, (E-File)
locatetesteam@lanl.gov, (E-File)
env-correspondence@lanl.gov, (E-File)

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.




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



Date Signed



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



Date Signed

ENCLOSURE 1

**Fiscal Year 2014 Reporting of Instances of Noncompliance and
Releases Los Alamos National Laboratory
Hazardous Waste Facility Permit**

ENV-DO-14-0357

LA-UR-14-28970

Date: NOV 26 2014

Fiscal Year 2014 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, 2013 through September 30, 2014. 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, 2013 through September 30, 2014), there were no releases at or from a permitted unit.

Instances of Noncompliance with the Permit

From October 1, 2013 through September 30, 2014, there were seventy six instances of noncompliance with the Permit; these occurrences are listed in Table 1. Instances of noncompliance for this time frame associated with nitrate salt-bearing waste were previously reported in communications dated July 1, 2014 (*Addendum to the Los Alamos National Laboratory Hazardous Waste Facility Permit Reporting on Instances of Noncompliance and Releases for Fiscal Years 2012 and 2013*) and October 21, 2014 (*Second Addendum, Reporting Additional Instances of Noncompliance with Hazardous Waste Facility Permit and Generator Requirements, Los Alamos National Laboratory*).

The majority of the occurrences are associated with physical permit conditions such as aisle spacing, secondary containment requirements, tears in the fabric dome, cracks in the asphalt pad and container labeling issues. Other instances include missed notifications, paperwork mistakes, and inconsistencies in the operating record.

The Laboratory is currently developing additional qualifications and training requirements to improve waste management personnel's understanding and knowledge of requirements. Additionally, the Laboratory is developing improving waste management tools to ensure operating record compliance with the Permit. The Laboratory continues to work with waste workers and management personnel to identify and remediate instances of noncompliance with the Permit to prevent recurrence.

Table 1: Fiscal Year 2014 Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Period of Noncompliance	Steps Taken to Resolve
25-Sep-12	TA-54 Area G Pad 5	Several holes in the pavement were identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	9/25/12 - 1/27/2014	The holes were sealed with asphalt.
20-Feb-13	TA-54 Area G, Building 33	A tear in the dome fabric was discovered and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	2/20/2013 - 12/16/2013	The tear in the fabric of the dome was repaired. Note: containers relocated away from holes on 2/24/2013
8-Apr-13	TA-54 Area G, Pad 11	A crack in the asphalt was discovered and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	4/8/2013 - 1/27/2014	The crack was sealed with a commercial asphalt crack sealer.
15-May-13	TA-54, Area L	Several cracks in the asphalt were identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	5/15/2013 - 1/7/2014	The cracks have been sealed with a commercial asphalt crack sealer.
15-May-13	TA-54 Area G, Pad 6	A crack in the asphalt was discovered and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	5/17/2013 - 7/8/2014	The crack was sealed with a commercial asphalt crack sealer.
5-Aug-13	TA-54 Area G, Building 33	A single container identified as containing liquids was not placed on secondary containment. This is a noncompliance of Permit Section 3.7.1.	One container	8/5/2013 - 8/30/2013	The container was placed on secondary containment.
13-Aug-13	TA-54 Area G, Building 33	A single container identified as containing liquids was not placed on secondary containment. This is a noncompliance of Permit Section 3.7.1.	One container	8/13/2013 - 10/3/2013	The container was placed on secondary containment.
12-Sep-13	TA-54, Area L	The label of a single container was missing required information. This is a noncompliance of Permit Section 3.6.	One container	9/12/2013 - 10/3/2013	The label was replaced with a label that contained all of the required information.
24-Sep-13	TA-54 Area G, Pad 6	The label of a single container was missing required information. This is a noncompliance of Permit Section 3.6.	One container	9/24/2013 - 10/8/2013	The label was replaced with a label that contained all of the required information.
24-Sep-13	TA-54 Area G, Pad 6	The label of a single container was missing required information. This is a noncompliance of Permit Section 3.6.	One container	9/24/2013 - 10/28/2013	The label was replaced with a label that contained all of the required information.

Table 1: Fiscal Year 2014 Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Period of Noncompliance	Steps Taken to Resolve
26-Sep-13	TA-54 Area G, Pad 5	The label of a single container was missing required information. This is a noncompliance of Permit Section 3.6.	One container	9/26/2013 - 10/8/2013	The label was replaced with a label that contained all of the required information.
30-Sep-13	TA-54, Area L	The label of a single container was missing required information. This is a noncompliance of Permit Section 3.6.	One container	9/30/2013 - 10/3/2013	The label was replaced with a label that contained all of the required information.
7-Oct-13	TA-54 Area G, Pad 9	Aisle spacing requirements of 24 inches was not met. This is a noncompliance of Permit Section 3.5.1(1).	Two instances	10/7/2013 - 10/23/2013	Containers were configured so that adequate aisle spacing of 24 inches was achieved.
8-Oct-13	TA-54 Area G, Pad 9	The label of a single container was missing required information. This is a noncompliance of Permit Section 3.6.	One container	10/8/2013 - 10/22/2013	The label was replaced with a legible label.
8-Oct-13	TA-54 Area G, Pad 9	A tear in the dome fabric was identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	10/8/2013 - 12/20/2013	The fabric was repaired with a material patch.
17-Oct-13	TA-54, Area L	A single container contained information that was no longer legible. This is a noncompliance of Permit Section 3.6.	One container	10/17/2013 - 10/23/2013	The label was replaced with a legible label.
21-Oct-13	TA-54 Area G, Pad 5	A single container contained information that was no longer legible. This is a noncompliance of Permit Section 3.6.	One container	10/21/2013 - 10/25/2013	The label was replaced with a legible label.
24-Oct-13	TA-54 Area G, Pad 10	The label of a single container was missing required information. This is a noncompliance of Permit Section 3.6.	One container	10/24/2013 - 11/15/2013	The label was replaced with a label that contained all of the required information.
31-Oct-13	TA-54 Area G, Pad 9	Aisle spacing requirements of 24 inches was not met. This is a noncompliance of Permit Section 3.5.1(1).	Two instances	10/31/2013 - 11/18/2013	Containers were configured so that adequate aisle spacing of 24 inches was achieved.
4-Nov-13	TA-54 Area G, Pad 6	Aisle spacing requirements of 24 inches was not met. This is a noncompliance of Permit Section 3.5.1(1).	One container	11/4/2013 - 11/12/2013	The container was configured so that adequate aisle spacing of 24 inches was achieved.
5-Nov-13	TA-54 Area G, Pad 9	Aisle spacing requirements of 24 inches was not met. This is a noncompliance of Permit Section 3.5.1(1).	One instance	11/5/2013 - 11/18/2013	The container was configured so that adequate aisle spacing of 24 inches was achieved.

Table 1: Fiscal Year 2014 Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Period of Noncompliance	Steps Taken to Resolve
7-Nov-13	TA-54 Area G, Pad 5	Several instances of labels were no longer legible on waste containers. This is a noncompliance of Permit Section 3.6.	Multiple instances	11/7/2013 - 11/18/2013	In each instance the label was replaced with a legible label.
7-Nov-13	Not applicable	Correspondence from the New Mexico Environment Department - Hazardous Waste Bureau (NMED - HWB) was not placed in the Los Alamos National Laboratory (LANL) Public Reading Rooms (electronic or hardcopy) within the 10 days required by Permit Section 1.10.	Not applicable	10/05/2013 - 11/6/2013	The process for correspondence receipt has been improved to include more reviewers to ensure compliance with the requirement to include these documents in the LANL Public Reading Rooms.
13-Nov-13	All permitted units at TA-54, Area L and TA-54, Area G	Inconsistent information in operating record versus field inspection leading to noncompliance with Permit Section 2.12.2(1) and Permit Section 3.6. Issues include locations of containers and accumulation start date inconsistencies.	Not applicable	11/13/2014 - Ongoing	A systemic fix in the database and a relabeling effort was necessary to fix these inconsistencies. Progress is underway to verify containers at the facility.
19-Nov-13	All permitted units at TA-54, Area L and TA-54, Area G	Owners/operators/inspectors/waste handlers at the permitted units have not completed or do not have up-to-date training as required by Permit Section 2.7.	Eleven instances	Various periods of noncompliance.	Training for the individuals identified was either completed or the training plan for that individual was revised to confirm that work is not performed by that individual at a permitted unit.
19-Nov-13	TA-54, Area L	An inoperable eyewash station located at the permitted unit was promptly repaired or a substitute identified as required by Permit Section 2.10.2.	Not applicable	11/13/2013 - 11/19/2013	The eyewash was posted as "Out of Service" and the location of an alternative eyewash station was identified and posted.

Table 1: Fiscal Year 2014 Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Period of Noncompliance	Steps Taken to Resolve
4-Dec-13	TA-55-4, B40	A safety shower equivalent was removed. This is a noncompliance of Permit Section 2.10.1.	Not applicable	12/4/13 - 02/19/14	Storage of liquids in the permitted unit is prohibited until a safety shower is procured and installed. A two man rule to ensure the safety of personnel as well as identifying and posting the nearest safety shower. A service request has been submitted for a standalone safety shower. In the interim, a portable eye wash with drench hose was purchased and placed in the permitted unit.
5-Dec-13	Not applicable	Electronic mail (email) notification required by Permit Section 1.15 was not conducted within 7 days for the <i>2013 LANL Hazardous Waste Minimization Report</i> or the <i>LANL Hazardous Waste Facility Permit Instances of Noncompliance and Releases for Fiscal Year 2013</i> .	Not applicable	12/3/2013 - 12/5/2013	The process that is used to enter documents into the LANL Public Reading Rooms was impacted by the holiday weekend. More planning has been implemented around holidays so that submittal to the Public Reading Rooms does not get delayed.
6-Jan-14	Not applicable	Document was not entered into electronic Public Reading Room (EPRR) within the 10 days required by Permit Section 1.10.	Not applicable	1/2/2014 - 1/7/2014	The process that is used to enter documents into the LANL Public Reading Rooms was impacted by the holiday closure. More planning has been implemented around holidays so that submittal to the Public Reading Rooms does not get delayed.
8-Jan-14	TA-54 Area G, Pad 10	A crack in the asphalt was identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	1/8/2014 - 3/15/2014	The crack was sealed with a commercial asphalt crack sealer.
6-Feb-14	TA-3-29, Room 9020	The container storage unit had an out of date Contingency Plan in its operating record. This is a noncompliance of Permit Section 2.10.1.	Not applicable	1/15/14 - 2/6/14	The most up to date Contingency Plan was placed at the permitted unit.

Table 1: Fiscal Year 2014 Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Period of Noncompliance	Steps Taken to Resolve
6-Feb-14	TA-3-29, Room 9020	The required self-contained breathing apparatus was removed from the hallway. This equipment is part of the emergency equipment for the permitted unit. This is a noncompliance of Permit Section 2.10.1.	Not applicable	2/6/2014 - 2/28/14	A self-contained breathing apparatus was placed in the hallway within 24 hours of discovery. A permit modification request was submitted to the NMED on February 28, 2014 requesting the following change in the Contingency Plan "Self-contained breathing apparatus are made available if necessary in the event of an emergency by HAZMAT Personnel".
3-Mar-14	TA-54 Area G, Pad 10	A crack in the asphalt was identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	3/3/2014 - 4/14/2014	The crack was sealed with a commercial asphalt crack sealer.
18-Mar-14	TA-54 Area G, Pad 10	Several cracks in the asphalt were identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	3/18/2014 - 4/14/2014	The cracks have been sealed with a commercial asphalt crack sealer.
19-Mar-14	TA-54 Area G, Pad 9	A crack in the asphalt was identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	3/19/14 - Ongoing	A facility service request has been initiated. No waste is stored in the area until the crack can be repaired.
26-Mar-14	TA-54 Area G, Pad 5	A crack in the asphalt was identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	3/26/2014 - 8/11/2014	The crack was sealed with a commercial asphalt crack sealer.
26-Mar-14	TA-54 Area G, Pad 5	A crack in the asphalt was identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	3/26/2014 - 6/23/2014	The crack was sealed with a commercial asphalt crack sealer.
4-Apr-14	TA-55-4, K13	A waste brass gauge was not properly labeled or containerized in the permitted unit. This is a noncompliance of Permit Section 2.4.1.	1 item	4/9/2014	The brass gauge was secured and placed into a labeled waste storage container.
11-Apr-14	TA-54, Area L	The label of a single container was missing required information. This is a noncompliance of Permit Section 3.6.	One container	4/11/2014 - 4/16/2014	The label was replaced with a label that contained all of the required information.

Table 1: Fiscal Year 2014 Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Period of Noncompliance	Steps Taken to Resolve
14-Apr-14	TA-55, Outside Pad	The emergency safety shower and eyewash unit was found to be inoperable during an inspection. The piping to the safety unit was removed inadvertently as engineering drawings did not show the piping supplied significant equipment during a fire protection inspection for seismically hardened pipes. This is a noncompliance of Permit Section 2.10.1.	Not applicable	4/14/14 - 5/20/14	The area was posted and limited access was instituted in the area. A portable emergency safety shower and eyewash unit was located and installed on April 15, 2014. Planning is ongoing for engineering and installation of a new water line and permanent eyewash/safety shower.
5-May-14	Not applicable	Correspondence from the New Mexico Environment Department - Hazardous Waste Bureau (NMED - HWB) was not placed in the Los Alamos National Laboratory (LANL) Public Reading Rooms (electronic or hardcopy) within the 10 days required by Permit Section 1.10.	Not applicable	3/28/2014 - 5/5/2014	The process for correspondence receipt has been improved to include more reviewers to ensure compliance with the requirement to include these documents in the LANL Public Reading Rooms.
6-May-14	TA-54 Area G, Pad 11	A cut in the asphalt was identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	5/6/2014 - 5/9/2014	The cut was repaired with asphalt.
16-Jun-14	Not applicable	The Permittees did not notify the NMED-HWB of a waste characterization discrepancy within 3 days as required by Permit Section 2.4.7(4).	Not applicable	5/11/2014 - 6/30/2014	The procedure for preparing and shipping waste to off-site facilities is under revision to include Permit noncompliance reporting requirements.
8-Jul-14	Not applicable	Electronic mail (email) notification required by Permit Section 1.15 was not conducted within 7 days for the <i>Demolition Notification for Quarter Ending September 30, 2014</i> .	Not applicable	7/7/2014 - 7/8/2014	The process that is used to enter documents into the LANL Public Reading Rooms was impacted by the holiday weekend. More planning has been implemented around holidays so that submittal to the Public Reading Rooms does not get delayed.

Table 1: Fiscal Year 2014 Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Period of Noncompliance	Steps Taken to Resolve
18-Jul-14	Not applicable	Document was not entered into the EPRR within the 10 days required by Permit Section 1.10.	Not applicable	7/3/2014 - 7/25/2014	Inclusion into the LANL Public Reading Rooms was initially overlooked because the correspondence is in the form of an email. Personnel have been trained to assess off-site email correspondence for the potential applicability of LANL Public Reading Room requirements.
29-Jul-14	TA-54 Area G, Pad 5	A tear in the dome fabric was identified and not mitigated within 24 hours. This is a noncompliance of Permit Section 2.6.2.	Not applicable	7/29/14 - 8/11/2014	The fabric was repaired with a material patch.
18-Aug-14	TA-55, Outside Pad	The emergency safety shower and eyewash unit was dismantled and replaced with a new unit. A temporary safety shower was not installed within 24 hours. This is a noncompliance of Permit Section 2.10.1.	Not applicable	8/18/14 - 8/27/14	An anticipated noncompliance report was submitted to the NMED on July 11, 2014. During the period of noncompliance, all work was paused, the equipment was tagged out and a sign was placed limiting access. On August 27, 2014 the new emergency safety and eyewash unit was operational.
30-Sep-14	TA-55-4, K13	A bag containing suspect radioactive contaminated brass door hardware was not properly labeled or containerized in the permitted unit. This is a noncompliance of Permit Section 2.4.1.	1 container	9/30/2014	The brass door hardware was secured and placed into a labeled waste storage container.
11-Nov-14	Not applicable	2013 Biennial Hazardous Waste Report did not include treatment activities conducted at the permitted unit at TA-50-69. These treatment activities were included as part of the July 1, 2014 and October 23, 2014 instances of noncompliance addenda. This is a noncompliance with Permit Section 2.12.5.	Not applicable	Not applicable	Resolution of this reporting requirement is under review and appropriate revision will be completed.

Table 1: Fiscal Year 2014 Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Period of Noncompliance	Steps Taken to Resolve
Various	TA-50-69 (4 instances) TA-54, Area G overall inspection (2 instances) TA-54-8 (1 instance) TA-54, Area G Pad 3 (1 instance) TA-54, Area G Pad 5 (3 instances) TA-54, Area G Pad 6 (1 instance) TA-54, Area G Pad 9 (2 instances) TA-54, Area G Pad 11 (1 instance)	Fifteen inspection record forms for various dates were found to be missing information as required by Permit Section 2.6.3.	Not applicable	Various periods of noncompliance. Addendums were drafted and signed as soon as the missing information was discovered.	An addendum was drafted and signed by personnel responsible for the weekly inspection to correct the missing information.