

## ENVIRONMENTAL EVALUATION GROUP



AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

7007 WYOMING BOULEVARD, N.E.  
SUITE F-2  
ALBUQUERQUE, NEW MEXICO 87109  
(505) 828-1003  
FAX (505) 828-1062

February 11, 2003

Dr. Inés Triay, Manager  
Carlsbad Field Office  
U.S. Department of Energy  
P.O. Box 3090  
Carlsbad, NM 88221



Dear Dr. Triay:

Thank you for your letter of January 23, 2003 (see attached copy), acknowledging the EEG's repeated requests for information about TRUPACT #157 and the radiological measurements that were taken at the WIPP site. The EEG would also like to thank those persons who facilitated the EEG's observation of the TRUPACT #157 as it was opened at the INEEL TAN facility on January 31, 2003.

However, your letter is not fully responsive to our requests and needs.

Our September 5, 2002 letter requested in part "...all pertinent WTS and CBFO documentation on the TRUPACT-II #157 internal contamination incident discovered at the WIPP on August 26, 2002. These documents should include, but not be limited to, information from the initial survey of airborne contamination inside the inner containment vessel and any documentation produced for release of the TRUPACT-II to return to INEEL." These documents included a radiological survey of a filter or filters placed across the air flow to the pump as the inner containment vessel (ICV) of TRUPACT #157 was depressurized (the filters are called Radiological Assessment Filters in WTS documents). DOE personnel have since informed the EEG verbally that destructive radiochemical analysis of at least one such filter took place. Thus, the EEG expected to receive copies of initial documentation of the results of these activities, as well as any reports that may have, and we believe should have, been generated from this initial data. These data would include, for example, a copy of the Radiological Survey Report containing all Radiological Assessment Filter information, and from the radiochemical analysis, a printout of counting instrument results.

Kindly provide the requested documentation and reports.

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Your response states that unspecified data "...qualitatively indicated a weapons grade plutonium isotopic signature." No mention is made of  $^{241}\text{Am}$ , which is interesting because the  $^{241}\text{Am}$  to  $^{239+240}\text{Pu}$  ratio was 15.3 in drum IDRF74120248.

Please provide any data or reports that indicated a weapons grade plutonium isotopic signature.

The EEG's September 5, 2002 letter also stated (p. 1):

The EEG also requests a copy of any reports and/or documentation of the INEEL investigation, unloading, and decontamination of the contaminated TRUPACT-II #157.

Please provide copies of the two INEEL procedures that CBFO has recently approved (TPR-6233 Revision 1, *TRUPACT-157 Payload Disassembly Operations at TAN*, and TPR-6230 Revision 0, *TRUPACT-157 Unloading and Loading Recovery Operations at TAN*), and any other documents that pertain to the planning or execution of investigations related to the contamination in TRUPACT #157, as well as any results of these investigations.

The September 5, 2002 letter requested that the CBFO inform the EEG of the schedule for investigations, unloading, and decontamination of TRUPACT #157 at the INEEL. Given the resources in readiness for the January 30, 2003 TRUPACT #157 investigative operations at the INEEL—two shifts each of ten 'Hot Shop' workers, including radiation control technicians, two crane operators and a camera operator—it seems very likely that at least a draft schedule would have been available at the time of the CBFO's January 23, 2003 letter. The EEG learned of the scheduled activities on January 28, 2003 at the NAS WIPP Committee meeting, and contacted CBFO personnel by telephone to arrange for EEG observation of the operation. We no longer believe it would be useful for the CBFO to provide us with a schedule.

However, the EEG requests that the CBFO provide the EEG with any DOE or contractor reports resulting from the TRUPACT #157 investigation at the INEEL.

In preparing this letter the EEG has noted that procedures require the radiological examination of the depressurization air flow filter from the ICV to take place after the the ICV lock ring is rotated to the unlocked position. This would greatly increase the potential for release of contamination along the circumference of the ICV, as the sealing of the ICV lid to the ICV would be solely by the weight of the ICV lid.

The EEG requests that the CBFO supply whatever evidence there is that a radiological survey of this circumference was performed prior to re-locking the ICV lid. This would probably be in the form of a Radiological Survey Map and associated documents.

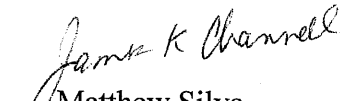
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The EEG has attempted to keep its formal requests for information from the DOE to a minimum over the last few years, and this may have resulted in a tenuousness in the process at both the EEG and the CBFO. The WIPP Land Withdrawal Act (P.L. 102-579, as amended by H.R. 3230) specifies that the DOE shall (from Section 17.(a)):

- (1) provide the State, the National Academy of Sciences, and the EEG with free and timely access to data relating to health, safety, or environmental issues at WIPP,
- (2) provide the State and the EEG with preliminary reports relating to health, safety, or environmental issues at WIPP...

Note that paragraph (1) specifies the *timely* access to data relating to safety and health. We hope that the amplification of the requests in our September 5, 2002 letter and the requests in this letter will elicit both a more timely, and more appropriate, response.

Sincerely,

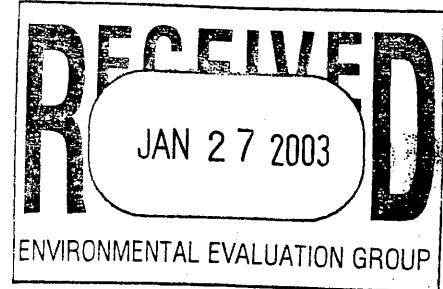
  
Matthew Silva  
Director

MS:BW:JC:SW:GA:js  
Enclosure: January 23, 2003 letter, Triay to Silva

cc: A. Clark, NMEMNRD  
L. Lovejoy, NMAG  
S. Zappe, NMED



Department of Energy  
Carlsbad Field Office  
P. O. Box 3090  
Carlsbad, New Mexico 88221  
January 23, 2003



Dr. Matthew Silva  
Director, EEG  
1001 Wyoming Blvd, NE  
Albuquerque, NM 87109

Dear Dr. Silva:

This letter is written to respond to your repeated requests for information about the status of TRUPACT #157. Your letters of September 5 and November 27, 2002, requested information about the internal airborne contamination encountered during routine acceptance tests at WIPP when TRUPACT #157 was received from INEEL on August 25, 2002. You also asked about the status of how and when DOE would open the contaminated inner containment vessel (ICV) within #157.

As we have discussed with you on several occasions, TRUPACT #157 continues to be stored at a permitted facility at INEEL, while DOE and its contractors at INEEL evaluate the optimum method for opening the shipping container, removing the payload containers and repackaging them with the goal of minimizing any additional contamination issues. This process of opening, inspecting, and repackaging must be conducted within the limits of the RCRA authority granted INEEL by the Idaho Department of Environmental Quality (IDEQ). INEEL and IDEQ are aggressively working together to develop this plan.

When TRUPACT #157 is opened, every effort will be made to inspect the payload containers inside the ICV to learn more about the nature of the airborne contamination detected within the ICV at WIPP. However, the degree of inspection and ability to ascertain the cause of the contamination may be limited by the amount of contamination present during the recovery operation. DOE does not intend to risk exposure to workers during the recovery operation in an effort to identify the cause of the airborne contamination. Since the waste will eventually be re-shipped to WIPP (with new manifest and WWIS data) within overpack containers, there will be no additional characterization (WAP or WAC related) performed. We will share any new information when it becomes available from INEEL. The air sample collected upon initial receipt of TRUPACT #157 on August 25, 2002 qualitatively indicated a weapons grade plutonium isotopic signature. This is consistent with the waste that was shipped in the payload (a mixture of various debris waste streams, including glove box filters).

Sincerely,

*Chuan-Fu Wu for*  
Inés R. Triay  
Manager