



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 30 2008

OFFICE OF
AIR AND RADIATION

David Moody, PhD, Manager
Carlsbad Field Office
U.S. Department of Energy
P.O. Box 3090
Carlsbad, NM 88221



Dear Dr. Moody:

On July 29, 2008, the Environmental Protection Agency (EPA) conducted a follow-up inspection at Los Alamos National Laboratory (LANL) regarding the events that led to the emplacement of a transuranic (TRU) waste drum (# LAS817174) with an open non-conformance report (NCR) at the Waste Isolation Pilot Plant (WIPP). EPA and the Department of Energy (DOE) Carlsbad Field Office (CBFO) had mutually agreed to suspend shipments from LANL to WIPP after identifying this error.

Based on the documentation provided by DOE and the Agency's review of these events, EPA concurs with CBFO's decision to resume shipment of CH TRU waste from LANL via the Central Characterization Project (CCP), excluding those containers from the MIN-03 and CIN-02 waste streams. Until EPA evaluates database changes specific to the selection of containers from waste streams MIN-03 and CIN-02 using Standard Search 7, and other changes to CCP's Data Center made as a result of the corrective actions, EPA withholds concurrence of resumption of shipments of containers from MIN-03 and CIN-02, except for those containers of these waste streams that are in the "free zone" (i.e., east side) of Dome 49 at LANL.

DOE needs to notify EPA when these changes have been implemented so that the Agency can review them for adequacy. In addition, EPA will further evaluate the segregation of TRU drums at CCP sites. DOE has stated that one follow-up action from this incident would be to conduct surveillances at other sites; please provide EPA with a schedule of when these surveillances would occur. Lastly, the Agency will provide an additional short summary of our investigation in the very near future.



If you have any questions regarding this issue, please contact Tom Peake at (202) 343-9765.

Sincerely,



Jonathan D. Edwards, Acting Director
Radiation Protection Division



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