

REGION 6 EXECUTIVE SUMMARY

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TOPIC: **UPDATE: Waste Isolation Pilot Plant (WIPP)**

DATE: **February 20, 2014**

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PURPOSE/ACTION NEEDED: **Summary of WIPP Radiation Release 2/14/14**

**NMED
Hazardous Waste Bureau**

DEADLINE DATE: **N/A**

BACKGROUND:

The WIPP is the only repository for defense related transuranic (TRU) waste in the United States. The facility has received and emplaced waste since March 1999, from twelve Department of Energy (DOE) sites across the country.

WIPP is primarily regulated by a Federal certification and a State RCRA permit. The Office of Radiation and Indoor Air (ORIA) certifies the facility can contain radiation adequately under the 1992 Land Withdrawal Act. This certification is renewed every five years. ORIA last renewed the certification in 2010. The State of New Mexico is authorized to implement the RCRA Permit program and last renewed the RCRA permit in 2010.

CURRENT STATUS:

On February 14, 2014, the WIPP experienced a radiation release to the underground that subsequently migrated to the exhaust shaft. No one was underground at the time, and DOE states that no radiation was measured at the surface. Analysis of the air monitoring filters at the surface indicate significant readings of Plutonium 238, Americium 241, and Uranium 234.

Waste emplacement had been suspended for a week before the release while DOE investigated a salt transport fire in the underground. It is believed the fire and the radiation release are not connected.

The Director at WIPP contacted the Secretary of NMED on Saturday, February 15. Staff at WIPP gave courtesy notifications to Region 6 staff and ORIA staff on Sunday. At that time, EPA was told there was no release to the environment. The National Response Center has not been notified (DOE believes this radiation release falls completely under DOE jurisdiction).

ENVIRONMENTAL/PUBLIC HEALTH CONCERNS:

The Current-Argus, the local Carlsbad newspaper has reported that a third party air sampling monitor, 0.6 miles from the facility has captured Americium and Plutonium. The monitor is maintained by CEMERC, a radiation laboratory serving DOE in Carlsbad.



TECHNICAL CONCERNS:

EPA and NMED are concerned that details and data are not available to either regulating agency. EPA, NMED, and Region 6 held a conference call to collate questions for DOE to answer. These concerns involve a timeline of the event, data and measurements taken by DOE, waste inventory potentially involved, and projected activities by DOE to address the release.

REGULATORY/LEGAL REQUIREMENTS:

- RCRA Subpart X unit, the WIPP has a unique permit with corrective action requirements under the authorized New Mexico regulations.
- There are no compliance orders in effect for the facility.
- Under the 1992 Land Withdrawal Act, Congress requires DOE to submit a Biennial Environmental Compliance Report (BECR) to EPA. This report confirms the WIPP facility is in compliance with all applicable regulations. If out of compliance, EPA can negotiate with DOE to develop a compliance schedule. There are no provisions for penalties. The last BECR was submitted October 2012, and approved May 2013.

COMMUNITY CONCERNS:

Ryan Flynn, the Secretary of the NMED, plans a news conference in Carlsbad at 1pm, Thursday, February 20th.

Mike Flynn, Director of ORIA, has contacted Rryan Flynn at NMED and Bill Luthans at Region 6 to express support as these regulatory agencies work to gather more information.