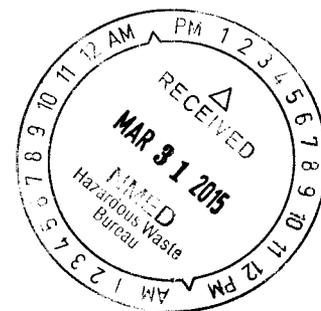




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

ENTERED



MAR 30 2015

OFFICE OF  
AIR AND RADIATION

Mr. Jose Franco  
Carlsbad Field Office  
U.S. Department of Energy  
P.O. Box 3090  
Carlsbad, New Mexico 88221-3090

Dear Mr. Franco:

The U.S. Environmental Protection Agency reviewed the document, *U.S. Department of Energy Plan for Addressing the Areas for Improvement Identified by the U.S. Environmental Protection Agency*, sent to the Agency on November 25, 2014. This plan adequately addresses the major areas of concern identified by the EPA during its April 2014 inspection, and identifies actions which the Department either has undertaken and or plans to undertake to improve in those areas. The EPA does not request any further written response at this time, but will follow up on these topical areas during subsequent inspections.

The Agency will conduct its next inspection at the Waste Isolation Pilot Plant (WIPP) site from April 7-9, 2015. The focus of the inspection will be progress on the procedural improvements identified in DOE's November 2014 improvement plan and Corrective Action Plans. The EPA also will address, to the extent it can while the facility remains in recovery, those topic areas typically covered during the annual Subpart A, Monitoring and Emplacement inspections. Inspection plans for each of these areas are attached.

If you have any questions, please contact Jonathan Walsh at (202) 343-9238 or [walsh.jonathan@epa.gov](mailto:walsh.jonathan@epa.gov).

Sincerely,

Jonathan D. Edwards  
Director  
Radiation Protection Division

Enclosure



cc: Russ Patterson, DOE/CBFO  
George Basabilvaso, DOE/WIPP  
Alton Harris, DOE/HQ  
Ricardo Maestas, NMED  
Susan Lucas-Kamat, NMED  
EPA WIPP Team  
EPA Docket

## **EPA WIPP Inspection Plan - 40 CFR 191 Subpart A for the year 2015**

### **Purpose:**

EPA will verify that the Department of Energy (DOE) has accurately monitored and calculated possible radiation doses to members of the public, due to both normal operations and accidental releases that may have occurred during the last reporting period. This inspection is conducted under the authority of 40 CFR 191, Subpart A. This inspection is part of EPA's continued oversight to ensure that WIPP can, during the operational phase of management and storage of radioactive waste, comply with the limits expressed in 40 CFR 191.03.

### **Scope:**

The scope of this inspection includes all activities performed by DOE at WIPP to measure and calculate any actual or potential radiation dose to members of the public during management and storage of radioactive waste, specifically during the past year of site operation. Inspection activities will include an examination of monitoring procedures and sampling equipment both on and off site, and in the underground.

The purpose of this inspection is to verify and confirm that DOE at WIPP has complied with the "Compliance reporting" expectations of EPA's GUIDANCE FOR THE IMPLEMENTATION OF EPA'S STANDARDS FOR MANAGEMENT AND STORAGE OF TRANSURANIC WASTE (40 CFR Part 191, Subpart A) at the WASTE ISOLATION PILOT PLANT (402-R-97-001), Section 4.2, Page 15.

### **Focal Areas for this Years Inspection:**

EPA will follow up on the areas reviewed during the April 2014 incident inspection. EPA will review changes to WIPP's Subpart A compliance program as a result of the rad incident and recovery. As in past years, sampling equipment, lab procedures, and consequence assessment will be reviewed, with the goal of demonstrating that DOE continues to capture representative samples of facility effluent. This year's inspection will also document WIPP's progress on action items identified in its October 2014 *U.S. Department of Energy Plan for Addressing the Areas for Improvement Identified by the U.S. Environmental Protection Agency* and Corrective Action Plans.

### **Location:**

This inspection will be held at the WIPP facility located twenty-six miles south east of Carlsbad, New Mexico and the surrounding vicinity as needed.

### **Duration:**

EPA expects to complete its inspection in three days. Each day will begin with an opening meeting at 8:00 a.m. and end before 5:00 p.m. with a closeout session.

**Dates:** April 7-9, 2015.

**Information Requested:** EPA has received and is reviewing relevant documentation and procedures related to Subpart A, and will request additional documentation if needed.

## **EPA WIPP Monitoring Inspection Plan - 40 CFR 194.42 for the year 2015**

### **Purpose:**

Verify that the Department of Energy (DOE) can demonstrate that the Waste Isolation Pilot Plant (WIPP) is monitoring the parameter commitments made in the documentation to support the EPA's certification decision, in particular CCA, Volume 1, Section 7.2, Table 7.7 and Appendix MON. This inspection is conducted under the authority of 40 CFR 194, Section 21.

This inspection is part of EPA's continued oversight to ensure that DOE appropriately and accurately monitors the performance of significant parameters of the disposal system.

### **Scope:**

Inspection activities will include an examination of monitoring and sampling equipment both on and off site, and in the underground. A review of sampling procedures and measurement techniques may be conducted. Quality assurance procedures and documentation for each of these activities will also be reviewed.

EPA will meet with staff from the WIPP Geotechnical Engineering Program, the WIPP Groundwater Monitoring Program, the WIPP Underground and Surface Surveying Program, the Delaware Basin Drilling Surveillance Program, and WDS database administrators. EPA will review procedures used and data and reports produced by each of these groups, as they relate to monitored parameters at WIPP.

### **Focal Areas of This Year's Inspection:**

- What has changed in the monitoring program as a result of the 2014 incidents and restricted access to the underground?
- Have gaps in monitoring data resulted from the incidents, and how significant are these data gaps?
- What documentation and procedures have changed?

**Location:** This inspection will be held at the WIPP facility location twenty-six miles south east of Carlsbad, New Mexico and the surrounding vicinity as needed.

**Duration:** The EPA expects to complete its inspection in three days. Each day will begin with an opening meeting at 8:00 a.m. and end before 5:00 p.m. with a closeout session.

**Date:** April 7 - 9, 2015

**Documents for Review:** EPA has received and is reviewing relevant documentation and procedures, and will request additional documentation if needed.

## **EPA WIPP Emplacement Inspection Plan for the year 2015**

### **Purpose:**

The purpose of this inspection is to verify that waste sent to WIPP during the past year has been emplaced in the underground facility in the manner specified in DOE's Compliance Certification Application (EPA Air Docket A-93-02, Item II-G-01) and other approvals.

EPA is performing this inspection under the authority of 40 CFR 194.21, which authorizes the Agency to inspect the WIPP during its operational period to verify continued compliance with EPA's WIPP Compliance Criteria and the certification decision of May 18, 1998.

### **Scope:**

The scope of this inspection includes: demonstration of the site's ability to receive, process, and emplace contact-handled and remote-handled TRU wastes within the repository; the use of magnesium oxide (MgO) backfill in appropriate amounts to fulfill DOE commitments and requirements; maintenance of relevant waste packaging records, including the electronic WIPP Waste Data System (WDS) and the verification of appropriately implemented quality assurance practices. The availability of documentation of these processes and activities will be a major source of review.

### **Focal Areas for this Year's Inspection:**

As a result of the 2014 incidents, waste emplacement is not taking place. EPA will inspect waste that is being stored aboveground in the Waste Handling Building, and waste tracking in the WDS. EPA will additionally use the underground portion of the inspection to observe facility recovery activities and document DOE's progress towards its recovery milestones.

### **Location:**

The inspection will be held at DOE's WIPP facility located twenty-six miles southeast of Carlsbad, New Mexico and the Carlsbad Field Office (CBFO) in Carlsbad. Inspection activities will include examination of the underground facilities, records related to waste emplacement, and other information as needed.

### **Duration:**

The EPA expects to complete its inspection in three days. Each full day will begin with an opening meeting at 8:00 a.m. and end no later than 5:00 p.m. with a closeout session.

### **Dates:**

April 7 - 9, 2015

### **Documents for Review:**

EPA has received and is reviewing relevant documentation and will request additional documentation if needed.