



Department of Energy  
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MEMORANDUM FOR DISTRIBUTION

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FOR ENVIRONMENTAL MANAGEMENT

SUBJECT: Management of the National Transuranic Program

The Accident Investigation Report, Phase 2, "Radiological Release Event at the Waste Isolation Pilot Plant (WIPP), February 14, 2014", evaluated the cause of the radiological release from a container in the WIPP underground. Based on the evidence obtained during this phase, the Accident Investigation Board (Board) made 24 Conclusions (CONs) and 40 associated Judgements of Needs (JONs).

The Board determined in CON 4, that Carlsbad Field Office (CBFO) oversight activities associated with the characterization and certification of transuranic (TRU) waste were ineffective in identifying programmatic weaknesses through the execution of certification audits and surveillances at the Los Alamos National Laboratory (LANL).

JON 6 was one of three JONs based on CON 4. In JON 6, the Board specified that the Department of Energy (DOE) Headquarters needs to review expectations documented in existing National TRU Program (NTP) policy directives and take action necessary to clearly assert that CBFO, as the manager of the WIPP repository, has the authority to conduct oversight of waste generator site programs and processes necessary to provide assurance that any activities that could impact characterization and certification of TRU waste are verified to be compliant.

The attached policy addresses JON 6 by reaffirming:

- CBFO manages the day-to-day operations of the NTP consistent with policy, guidance, and oversight provided by the Office of Environmental Management Headquarters (EM HQ);
- Jointly EM HQ and CBFO are responsible for developing and issuing NTP priorities (e.g., shipping schedules) as co-chairs of the TRU Waste Corporate Board;
- EM HQ is responsible for facilitating alignment among TRU waste generator site contracts, budgets and program plans (working with other DOE Headquarters elements);
- NTP has the full authority at the TRU waste sites to oversee all aspects of TRU waste (and potential TRU waste) destined for disposal at WIPP;

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- NTP is responsible for ensuring waste destined for WIPP is compatible and compliant with the WIPP Waste Acceptance Criteria;
- CBFO/NTP is the primary interface with New Mexico, Federal regulators, and regional transportation groups regarding NTP technical issues and funding requests; and
- Safety of personnel and the WIPP facility shall take precedence over schedule and program priorities.

In addition, the policy specifies roles, responsibilities, authorities and accountabilities to clarify the functions of the three primary groups of organizations involved in TRU waste management (i.e., EM HQ, CBFO, and TRU waste generator site field offices) and ensures that appropriate oversight of TRU waste treatment, remediation, packaging, repackaging, characterization, certification and shipping activities are being consistently performed that results in safe and compliant operations through waste disposal and isolation at WIPP. Therefore, the policy is applicable to all programs intent on TRU waste disposal at WIPP.

Until the resumption of WIPP waste disposal operations, any issues or conflicts that require clarification of this policy should be promptly discussed with EM HQ.

If you have any questions, please contact Mr. Douglas Tonkay, Director, Office of Disposal Operations, at (301) 903-7212.

Attachment

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## **Management of the National Transuranic Program Policy**

### **I. Purpose**

This policy delineates the roles, responsibilities, accountabilities, and authorities related to the management of the National Transuranic Program (NTP) for the Office of Environmental Management (EM) Headquarters (HQ), the Carlsbad Field Office (CBFO), and Transuranic (TRU) waste generator site field offices. This policy reaffirms that the CBFO manages the NTP consistent with policy and guidance provided by EM HQ. The NTP is responsible for ensuring that waste destined for the Waste Isolation Pilot Plant (WIPP) is compatible and compliant with the WIPP Waste Acceptance Criteria (WAC). Safety of personnel and WIPP shall take precedence over schedule and program priorities.

### **II. Scope**

The scope of this policy is to, primarily, clearly assert that the CBFO Manager, as the manager of the WIPP repository and the NTP, in coordination with TRU waste generator site field offices, has the authority to conduct oversight of TRU waste generator site programs and processes necessary to provide assurance that any activities that could impact characterization and certification of TRU waste are verified to be compliant with WIPP requirements. Secondly, this policy delineates the roles, responsibilities, accountabilities, and authorities of EM HQ, CBFO, and the TRU waste generator site field offices related to the management of TRU waste. This policy is intended to clarify the division of responsibilities and to assure:

- safe and compliant transuranic (TRU) waste characterization/certification, treatment, remediation, storage, packaging, shipping and disposal;
- effective and efficient management of the NTP strategic and long-range, integrated planning activities;
- planning activities, directives and operations of the NTP are coordinated, integrated and consistent with Headquarters programs, policy, and guidance; and
- effective and efficient management of TRU waste generator site activities such that TRU waste is packaged in a compliant but timely manner.

### **III. Roles, Responsibilities, Accountabilities, and Authorities**

#### **A. Roles**

1. The role of EM HQ is to provide oversight of the NTP to ensure the NTP planning and operations are coordinated, integrated and consistent with Headquarters' programs, policies, and guidance. In accordance with Department of Energy (DOE) Order (O) 226.1B, *Implementation of Department of Energy Oversight Policy* and DOE O 435.1, *Radioactive Waste Management*, EM HQ provides oversight of NTP activities.

2. The CBFO Manager and NTP are delegated the management of DOE's TRU waste program per the requirements of DOE O 435.1, *Radioactive Waste Management*. The CBFO is to provide the planning and day-to-day management and direction of all of the components of the NTP, which includes packaging, repackaging, transportation, and disposal of TRU waste, and to coordinate with the TRU waste generator site field offices to provide oversight of characterization/certification, as well as oversight of waste treatment to ensure waste is chemically compatible within the packaging and is otherwise safe and compliant.
3. The role of each of the TRU waste generator site field offices is to safely and compliantly manage TRU waste inventories from generation/retrieval through treatment, characterization, packaging, and storage such that the waste offered to the CBFO-certified program for TRU waste characterization/certification and transportation to WIPP will meet the WIPP WAC.

#### B. Responsibilities

##### 1. EM HQ is responsible for:

- Issuing key policy guidelines for the NTP;
- Providing oversight of NTP activities (including TRU waste site certification/recertification audits, and other NTP assessments of TRU waste generator sites);
- Jointly EM HQ and CBFO are responsible for developing and issuing NTP priorities (e.g., shipping schedules) as co-chairs of the TRU Waste Corporate Board;
- Facilitating alignment among TRU waste generator site contracts, budgets and program plans (working with other DOE Headquarters elements);
- Providing guidance for preparation of budget requests and acquiring and providing resources to fund the NTP through CBFO and the TRU waste generator site field offices consistent with the priorities of the EM program;
- Reviewing proposed policy, guidance, plans and other documents developed by CBFO;
- Performing integration activities between TRU waste and other waste types, including integration with other Headquarters' organizations;
- Participating in meetings, workgroups, task forces, and annual reviews where there are crosscutting issues (i.e., storage, characterization, and treatment, etc.); and
- Developing and implementing a TRU waste management oversight plan consistent with DOE O 435.1, *Radioactive Waste Management*.

##### 2. CBFO is responsible for implementing National TRU Program as follows:

- Jointly EM HQ and CBFO are responsible for developing and issuing NTP priorities (e.g., shipping schedules) as co-chairs of the TRU Waste Corporate Board;
- Identifying and ensuring TRU waste issues are addressed to properly manage TRU waste from a complex-wide basis;
- Conducting analysis and strategic planning necessary for establishing and implementing an integrated TRU waste management program through the TRU Waste Corporate Board, and in coordination with EM HQ and TRU waste generator site field offices;
- Developing options, priorities and guidance, in coordination with EM HQ and TRU waste generator site field offices regarding TRU waste management at TRU waste generator sites;
- Coordinating working groups and task forces which address issues to better manage TRU waste complex-wide;
- Identifying data collection needs and collecting pertinent data in coordination with the generator site field offices, for the TRU waste program;
- Developing and managing the transportation and packaging systems for TRU waste;
- Establishing and overseeing implementation of a TRU waste characterization/certification program plan;
- Developing and supporting special studies, in coordination with TRU waste generator site field offices, for more effective and efficient management of TRU waste at TRU waste generator sites;
- Developing, issuing, and approving TRU waste documents consistent with EM HQ policy guidance;
- Providing programmatic, technical, and budget direction to the NTP contractors;
- Developing and managing the planning process for the NTP activities delegated to the CBFO;
- Integrating activities with the WIPP program to assure compatible policies and programs (e.g., waste characterization, receipt, packaging, treatment, handling and storage);
- Ascertaining TRU waste treatment technology requirements and needs, in coordination with affected generator site field offices, to ensure compliance with environmental regulations;
- Conducting TRU waste certification audits of TRU waste generator site waste generation, packaging/treatment, characterization/certification, and transportation;

- Oversight of programmatic aspects of TRU waste characterization/certification;
- Oversight of programmatic aspects of TRU waste loading for shipment;
- Oversight of TRU waste treatment and packaging procedures and operations to ensure compliance with WIPP and NTP requirements;
- Ensuring development and concurrent approval of Memorandums of Agreement (MOAs) between CBFO and each respective TRU waste generator site field office, as necessary, to ensure that any roles, responsibilities, accountabilities, and authorities not covered by this policy are covered for evident and effective oversight of TRU waste operation, characterization/certification and shipment;
- Conducting strategic planning for NTP complex-wide to facilitate near-term and long-term integrated budget planning and coordination for the prioritization of NTP and TRU waste site resources based upon NTP and Generator Site Field Office needs; and
- Providing training and guidance, in coordination with TRU waste generator site field office and contractor(s), to waste operators, technicians, and/or mechanics conducting packaging, repackaging, treatment, and remediation at all of the TRU waste generator sites.

3. The TRU waste generator site field offices are responsible for:

- Providing accurate hazardous waste determinations of waste offered to CBFO certified TRU waste certification programs;
- Oversight of all TRU waste operations at their respective generator site(s) from retrieval through treatment, characterization, packaging, and storage to ensure safety and compliance;
- Oversight of operational aspects of TRU waste characterization at their respective generator site(s);
- Oversight of operational aspects of TRU waste loading for shipment at their respective generator site(s);
- Identifying site issues and needs for TRU waste disposition;
- Participating (as both an entity reviewed and an entity conducting reviews) in assessments, audits, surveillances of site TRU waste programs and operations;
- Providing technical information and demonstrating operational compliance with NTP requirements;
- Reviewing and concurrent approval of MOAs between CBFO and its Field Office for safe, compliant, effective and efficient oversight of TRU waste operation and shipment;
- Providing information to CBFO, as necessary, to demonstrate compliance with the NTP requirements for TRU waste disposition;

- **Establishing priorities and budgeting for the management of TRU waste inventories at the TRU waste generator sites to ensure compliance with local regulatory requirements;**
- **Coordination with TRU waste generator site regulators for the establishment of agreements, permits, and other activities that affect TRU waste treatment and operational priorities at their respective generator site(s), while ensuring these are consistent with the WIPP regulatory requirements and NTP priorities.**

### C. Accountabilities

#### 1. EM HQ is accountable to:

- **EM Associate Principal Deputy Assistant Secretary for Environmental Management for the execution of the EM HQ roles and responsibilities described in Section III.B.1 above; and**
- **CBFO and the TRU waste generator site field offices for fully understanding and representing their budget needs to the Office of Management and Budget (OMB) and the Congress so that those field offices can fully execute their roles and responsibilities to accomplish the NTP mission.**

#### 2. CBFO is accountable to:

- **EM HQ for the execution of the CBFO roles and responsibilities described in Section III.B.2 above; and**
- **The TRU waste generator sites field offices for certifying TRU waste programs at their respective sites and providing resources and capabilities for the characterization, certification, transportation, and disposal of TRU waste from their respective sites, if they meet applicable WIPP and NTP requirements, and based upon the overall priorities established for complex wide TRU waste management.**

#### 3. The TRU waste generator site field offices are accountable to:

- **EM HQ for the execution of the TRU waste generator site field office roles and responsibilities described in Section III.B.3 above; and**
- **CBFO for providing access to its waste management facilities, programs, and documents/procedures that potentially or actually generate TRU waste, as requested by CBFO.**

### D. Authorities

#### 1. With respect to management of NTP, EM HQ is authorized to:

- **Act as the primary interface with Federal regulators on policy issues;**

- Develop and issue NTP priorities (e.g., shipping schedules) jointly with CBFO as co-chairs of the TRU Waste Corporate Board; and
  - Conduct assessments of the NTP in accordance with DOE O 226.1B, *Implementation of Department of Energy Oversight Policy*, and DOE O 435.1, *Radioactive Waste Management*.
2. With respect to management of NTP, CBFO is authorized to:
- Act as the primary interface with New Mexico, Federal regulators, and regional groups on technical issues and funding requests;
  - Develop and issue NTP priorities (e.g., shipping schedules) jointly with the EM HQ as co-chairs of the TRU Waste Corporate Board;
  - Make the final decision on whether a TRU waste sites' waste is compliant for shipment to WIPP;
  - Conduct assessments, audits, reviews (such as the Generator Site Technical Reviews, as the owner of WIPP, with the WIPP M&O contractor), and oversight of actual or potential TRU waste generator sites' programs and processes, necessary to provide assurance that any activities that could impact characterization and certification of waste are verified compliant, as both the manager of the NTP and as the owner of WIPP in coordination with the TRU waste generator site field office; and
  - The WIPP management and operating contractor, as the operator of the WIPP facility, has the authority to conduct Generator Site Technical Reviews with CBFO to assess the sufficiency and implementation of EM TRU waste generator sites' treatment and packaging procedures and processes, including the flow-down of information to the CBFO-certified program, to meet the WIPP WAC.
3. With respect to management of NTP, TRU waste generator site field offices are authorized to:
- Make decisions on TRU waste management at their respective sites, including operational oversight of on-site CBFO-certified TRU waste characterization/certification activities.