Ms. Judith M. Espinosa, Secretary  
State of New Mexico Environment Department  
P. O. Box 26110  
Santa Fe, New Mexico 87502

Dear Ms. Espinosa:

During the time period of February 7 through February 11, 1994, the U. S. Department of Labor Mine Safety and Health Administration (MSHA) conducted the Second Quarter Courtesy Assistance Visit (CAV) for 1994 as specified in the WIPP Land Withdrawal Act. The Inspection Information Sheet for this CAV is provided as Enclosure 1. The visit included a comprehensive safety and health inspection and resulted in the issuance of one Non-Penalty CAV notice on February 10, 1994. A copy of this CAV is provided as Enclosure 2. This CAV was subsequently vacated on February 15, 1994 by MSHA Inspector Dave Lilly on the grounds that the inspector issuing the CAV notice had not established a hazard. A copy of the note vacating this CAV notice is provided as Enclosure 3.

The inspection was performed by Federal MSHA Inspectors Marvin Archuleta and Moises Lucero. The enclosed copies of the Inspection Report are provided to DOE by MSHA. The poor quality of the copies is caused by the type of paper used for the originals.

If you have any questions concerning this subject, please contact Bruce Lilly at (505) 234-8136.

Sincerely,

George E. Dials  
Manager, Carlsbad Area Office

3 Enclosures

cc w/enclosures:  
J. Schinkle, SPD-AL  
J. Kenney, EEG-Carlsbad  
L. Fitch, WID  
C&C file
REGULAR INSPECTION INFORMATION

DATE(3) 2/7-11/94 ID No. WIPP EVENT No. WIPP
INSP. No. 1 2 3 4 TRAVEL AREA N12 MINE STATUS ? TEL. (505) 887-8100
COMPANY DEPARTMENT OF ENERGY
MINE WASTE ISOLATION PILOT PLANT (WIPP)
CITY Carlsbad DIRECTIONS TO OPERATION: 30 Miles east of Carlsbad on
Hwy. 62/180 to WIPP sign.

MINE TYPE Underground MINING METHOD N/A PRODUCT N/A
No. of EMPLOYEES 800 WORK SCHEDULE: hours/shift shifts/day days/week
MSHA INSPECTOR(S) Marvin R. Archuleta-1109 Moises Lucero-790
INSPECTION PARTY Doug Riple, Westinghouse Safety; Jim Elliott, Westinghouse U.G.Surv.;
N.Carsey, E.S & H Surface Safety; Joe Franco, (W) Facility Opr. Shift Surv.; Curtis Sanders,
Facility Opr.

OFFICE FILE SHEET
1. Past inspection reports and MIS printouts reviewed? yes (x) no ()
2. Part 50 reporting reviewed? yes ( ) no ( ) N/A
3. Health Ranking: (ABCD) Noise N/A Dust N/A Other N/A (specify)
4. 104(d) series? Initial Action: Date none City/Ord No. None N/A ( )
5. 104(e) pattern of violations? yes ( ) no (x)
6. Petitions for Modification? yes ( ) no (x)
Other pertinent file information none

INSP(3) ATTACHE(S) Date 2/7/94 Company attendees List attached

Miners representative None
Address

Comments/issues

<table>
<thead>
<tr>
<th>Citations</th>
<th>Issued</th>
<th>Terminated</th>
<th>Extended</th>
<th>Modified</th>
<th>Replaced</th>
<th>Vacated</th>
<th>Outstanding</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 (CAV)</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

| Orders | 0 | 0 | 0 |

No. of Health Samples Taken: Noise -0- Dust -0- Other -0-

Supv. Initial

HA Form 4000-48A, Aug. 93 (rev.)
**Event No.: WIPP**

<table>
<thead>
<tr>
<th>Event: Pre-Inspection Date: 12/07/94 Attendees: Listed Below.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
</tr>
<tr>
<td>-----------------------------</td>
</tr>
<tr>
<td>Marvin Archuleta</td>
</tr>
</tbody>
</table>

Operator/Miners Representative/Inspector Comments: 07:00 arrive Carlsbad Office 07:30 Leave Carlsbad Office.

08:30 Arrive Waste Isolation Pilot Plant

<table>
<thead>
<tr>
<th>Name</th>
<th>Title/Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>John M. Garcia</td>
<td>Mgr. Nuclear/Radiation Safety</td>
</tr>
<tr>
<td>Lindt Calderon</td>
<td>Mgr. Industrial Safety</td>
</tr>
<tr>
<td>Bruce Lilly</td>
<td>Doe Industrial Safety</td>
</tr>
<tr>
<td>M. Bibby</td>
<td>W. Mgr. Operations</td>
</tr>
<tr>
<td>N. Carney</td>
<td>W. ES &amp; M Surface Safety</td>
</tr>
<tr>
<td>R. A. Billett</td>
<td>W. Mgr. Facility Operations</td>
</tr>
<tr>
<td>W. H. Body</td>
<td>W. Mgr. G. Industrial Safety</td>
</tr>
<tr>
<td>Jim Elliot</td>
<td>W. MOPS. Jim Elliot</td>
</tr>
<tr>
<td>T. J. Reese</td>
<td>Doe Deputy Site Mgr.</td>
</tr>
<tr>
<td>Moises A. Lucero</td>
<td>DOL-MSHA</td>
</tr>
<tr>
<td>Rick Sowers</td>
<td>W. Hoisting Mgr.</td>
</tr>
<tr>
<td>Doug Ripley</td>
<td>W. ES &amp; H</td>
</tr>
</tbody>
</table>

Per Mr. Bruce Lilly, a new maintenance shop has been added at the underground. The shop was moved from the south section to the north section. No miners representative on this operation.

Notified of possible special assessment? - - - - - - - - yes ( ) N/A (x)
Notified of possible knowing/willful violation? - - - yes ( ) N/A (x)
Notified of right to safety & health conference? - - - yes ( ) N/A (x)
operator/Miners Representative/Inspector comments:

Construction has commenced on a training facility at the site and will meet the requirements for dedicated training space. The facility will have enough space to allow for proper storage and appropriate fire protection.

The site has commenced and has almost completed the installation of an elevator in the two floor safety building. The elevator is being installed to support the American Disability Act.

Several pieces of mobile equipment were purchased to enhance safe operations.

A diesel powered manlift for such tasks as replacing light fixtures and ground control instrumentation.

A mobile scissor to enhance the opening maintenance activities.

A diesel powered tool toter, capable of bolting ribs and backs slightly modified to enhance the stretching and installation of wire mesh as well as drilling and intalling rock bolts.

A portable pump with hose used to support back fill operations in areas of concern.

def of possible special assessment? — — — — — — yes () N/A (x)

def of possible knowing/willful violation? — — yes () N/A (x)

def of right to safety & health conference? — — yes () N/A (x)
EVENT NO. WIPP

| JECQTT CONFERENCE: Date: 02/11/94 Attendees: See list below 10:00 to 11:00 |

Operator/Miners Representative/Inspector comments:

- R. A. Billett  
- W. G. Johns  
- O. J. Compell  
- F. D. Ripley  
- C. L. McAvoy  
- P. Hoffman  
- J. R. Franco  
- R. Kuginskif  
- L. Calderon  
- J. Epstein  
- J. M. Garcia  
- Norm Casey  
- Moises A. Encero  
- Estin R. Archuleta  

Express my appreciation for the cooperation and assistance of plant personnel during this inspection.

Asked Mr. Jim Ellet, U/G Superintendent, if we had inspected the entire mine? Answer Yes. Discussed CW Notice. No comments from the operator. Discussed entire inspection results - operator pleased with inspection results.

| Notified of possible special assessment? | - - - - - - yes ( ) | N/A (x) |
| Notified of possible knowing/willful violation? | - - yes ( ) | N/A (x) |
| Notified of right to safety & health conference? | - - yes ( ) | N/A (x) |
I

DATE 2-16-94 CIT/ORD No. CAV - WP EVENT No. 21030
CONTRACTOR ID No. 

DESCRIPTION: CONDITION/PRACTICE/HAZARD/LOCATION: The door exit from
the waste handling building required some other
person to come open the door from the outside
because the door was stuck. This condition could
impose escape should an emergency arise.
This was on the 3rd Floor.

Likelihood: Unlikely () Reasonably Likely () Highly Likely () Occurred ()

Justification: This is unlikely because the company
inspecting party had two ways open. Also, we could
set off the fire alarm system to let persons know.

No Lost Workdays () Lost Workdays or Restricted Duty () Permanently Disabling () Fatal ()

Justification: no lost work day because some one
would have come to the rescue.

Persons affected: of persons trapped for minutes

PENALTY:

None () Low () Moderate () High () Reckless Disregard ()

Justification: insurance goes into this area unless paid
by the person of concern in charge of this area.

Res/Equipment (Orders): The door jammed does not
alert the waste handling Building but still Order
resistance Room.
**CAV-Nonpenalty**

<table>
<thead>
<tr>
<th>Date</th>
<th>02/12/94</th>
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<tbody>
<tr>
<td>Event Number</td>
<td></td>
</tr>
<tr>
<td>Serviceto</td>
<td>Bruce Lilly Safety Dept.</td>
</tr>
<tr>
<td>Mine</td>
<td></td>
</tr>
<tr>
<td>Location of Act</td>
<td>104-a</td>
</tr>
<tr>
<td>Rep. Section of this 30 CRA</td>
<td>57.1101</td>
</tr>
<tr>
<td>Type of Inspection</td>
<td>0.65</td>
</tr>
<tr>
<td>Primary or Min</td>
<td>Near 340</td>
</tr>
</tbody>
</table>

10. Condition:
The door exit from the waste handling building required an escape. The door was stuck. This condition could indeed escape should an emergency arise. The door was stuck. This condition could indeed escape should an emergency arise.

**Signature**

Moises C. Lucero

This notice was vacated on 2-16-94 by MSHA.

Supervisor Dave Lilly on the grounds that the inspector did not establish a hazard.