



*Environmental Protection Division  
Water Quality & RCRA Group (ENV-RCRA)*  
P.O. Box 1663, M704  
Los Alamos, New Mexico 87545  
(505) 667-0666/FAX (505) 667-5224

*National Nuclear Security Administration  
Los Alamos Site Office, A316*  
3747 West Jemez Road  
Los Alamos, New Mexico 87545  
(505) 667-5794/FAX (505) 667-5948

Date: November 30, 2011  
Refer To: ENV-RCRA-11-0257  
LAUR: 11-12052

Mr. John E. Kieling  
Bureau Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303

Dear Mr. Kieling:

**SUBJECT: LOS ALAMOS NATIONAL LABORATORY HAZARDOUS WASTE FACILITY PERMIT INSTANCES OF NONCOMPLIANCE AND RELEASES FOR FISCAL YEAR 2011**

The purpose of this letter is to transmit to the New Mexico Environment Department/Hazardous Waste Bureau (NMED-HWB) a report required by Section 1.9.14 of the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (Permit). The report lists instances of noncompliance with the Permit and any releases from or at a permitted unit that did not pose a threat to human health or the environment. From December 30, 2010 through September 30, 2011 there were no releases of hazardous waste or hazardous waste constituents from or at a permitted unit. The enclosed report details twelve instances of noncompliance that have been recorded from the effective date of the Permit through September 30, 2011.

If you have questions or would like to discuss further, please contact Mark Haagenstad at (505) 665-2014 of the Water Quality and RCRA Group (ENV-RCRA), or Gene Turner, Los Alamos Site Office at (505) 667-5794.

Sincerely,

A handwritten signature in blue ink that reads 'A R Grieggs'.

Anthony R. Grieggs  
Group Leader  
Water Quality & RCRA Group  
Los Alamos National Laboratory

Sincerely,

A handwritten signature in blue ink that reads 'Gene E Turner'.

Gene E. Turner  
Environmental Permitting Manager  
Environmental Projects Office  
Los Alamos Site Office  
National Nuclear Security Administration

ARG:GET:LVH/lm

Enclosure: a/s

Cy: Laurie King, USEPA/Region 6, Dallas TX, w/enc.  
Steve Pullen, NMED/HWB, Santa Fe, NM, w/enc.  
George Rael, NNSA/LASO, w/enc., A316, (E-File)  
Gene Turner, LASO-EO, w/enc., A316, (E-File)  
Carl A. Beard, PADOPS, w/o enc., A102  
Michael T. Brandt, ADESH, w/o enc., K491  
Robert Mason, TA55-DO, w/enc., E583, (E-File)  
Dianne Wilburn, ESHQ-DR, w/enc., E503, (E-File)  
Jeff Carmichael, ENV-RCRA, w/enc., E501, (E-File)  
Kathryn Johns-Hughes, LTP, w/enc., J910, (E-File)  
Andrew Baumer, WPS, w/enc., J910, (E-File)  
Oliver Wilton, ESHQ-DR, w/enc., M996, (E-File)  
Bob Lechel, ENV-ES, w/enc., J593, (E-File)  
Mark Haagenstad, ENV-RCRA, w/enc., K404, (E-File)  
Luciana Vigil-Holterman, ENV-RCRA, w/enc., K404, (E-File)  
ENV -RCRA File, w/enc., M704  
IRM-RMMSO, w/enc., A150

**ENCLOSURE**

**FISCAL YEAR 2011 REPORTING OF INSTANCES OF  
NONCOMPLIANCE AND RELEASES**

**LOS ALAMOS NATIONAL LABORATORY  
HAZARDOUS WASTE FACILITY PERMIT**

**LAUR-11-12052**

**ENV-RCRA-11-0257**



**Fiscal Year 2011 Reporting of Instances of Noncompliance and Releases**  
**Los Alamos National Laboratory Hazardous Waste Facility Permit**

Introduction

This report was prepared by the US Department of Energy and Los Alamos National Security, LLC (DOE/LANS) to meet the reporting requirements of the Los Alamos National Laboratory's (LANL) Hazardous Waste Facility Permit (Permit) Sections 1.9.13 and 1.9.14. These sections require reporting of "any release from or at a permitted unit that the Permittees do not deem a threat to human health or the environment", and "all instances of noncompliance" with the Permit that are not already reported. This report must be submitted by December 1 of each year, and addresses information from the effective date of the Permit (December 30, 2010), through September 30, 2011. None of the releases or incidents of noncompliance detailed within this report posed a threat to human health or the environment.

Facility Information

Owner and Operator: United States Department of Energy  
3747 West Jemez Road  
Los Alamos, NM 87544  
(505) 667-6691

Co-Operator: Los Alamos National Security, LLC.  
PO Box 1663, MS K491  
Los Alamos, NM 87545  
(505) 667-4218

Facility: Los Alamos National Laboratory  
PO Box 1663  
Los Alamos, NM 87545  
(505) 667-6691

Releases from or at a Permitted Unit

During this time frame (December 30, 2011 through September 30, 2011), there were no releases at or from a permitted unit.

Instances of Noncompliance with the Permit

From December 30, 2010 through September 30, 2011, there were twelve instances of noncompliance with the Permit. Table 1 provides the applicable information for each of the occurrences of noncompliance. As displayed within the table, over time there was a decrease in the instances of noncompliance associated with the new permit requirement that mitigation measures be implemented within 24 hours after discovery of equipment and/or structural deterioration and malfunction at a permitted unit. To facilitate compliance with this new permit requirement, LANL has implemented training and practices with facility personnel to address mitigation requirements.

**Table 1: Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit**

<b>Date of Discovery</b>	<b>Permitted Unit Location</b>	<b>Noncompliance</b>	<b>Quantity of Material</b>	<b>Period of Noncompliance</b>	<b>Steps taken to resolve and prevent</b>
01/03/2011	TA-54-230, Pad 9	A leaking/compromised fiberglass-reinforced plastic box was discovered and was not mitigated within 24 hours of discovery. A small amount of liquid with a neutral pH, most likely water was absorbed.	Single container- Less than one cup of liquid	01/03/2011 to 01/07/2011	The material was absorbed with spill socks until remediation was complete. The container was rewrapped and the need for repackaging damaged containers within 24 hours of discovery was discussed with facility personnel.
01/14/2011	TA-55, PF4, Area B40	A safety shower was not located near TA-55-PF4, Area B40 as stated in the Contingency Plan (Attachment D) of the Permit	Not applicable	12/30/2011 to 03/02/ 2011	A safety shower was installed near B40 on 04/26/2011; however, all wastes containing free liquids were removed from the unit by 03/02/2011 and no free liquids have been stored at the unit since that time. Additionally, the unit has always had an eyewash present and no waste containing acids or caustics are stored within the unit.
2/11/2011 through 2/13/2011	TA-54, Area G – All 9 permitted storage units	During a wall-to-wall inventory of waste containers at TA-54, Area G, 89 containers were found to have labeling concerns and were in need of relabeling.	89 containers	2/11/2011 to 06/03/2011	Containers were all relabeled so that they met the requirements of the Permit. Labeling concerns were mostly due to new permit requirements and newly generated waste that is transported to the permitted units is inspected to meet all of the labeling requirements at the time of receipt.
2/16/2011	TA-54-49, Pad 5	On February 16, 2011 the lightning protection system compensatory measures at TA-54-49 was deemed to be inoperable. Waste containers with the Environmental Protection Agency (EPA) Hazardous Waste Number D003 were not moved from the unit within 24 hours.	4 containers	2/16/2011 to 3/3/2011	Waste containers were moved from TA-54-49 into a structure with proper lightning protection. At the facility, the need for mitigation of damaged equipment within 24 hours of discovery was discussed with facility personnel.

**Table 1: Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit (continued)**

<b>Date of Discovery</b>	<b>Permitted Unit Location</b>	<b>Noncompliance</b>	<b>Quantity of Material</b>	<b>Period of Noncompliance</b>	<b>Steps taken to resolve and prevent</b>
2/23/2011	TA-54-48, Pad 3	A large tear within the dome roof near the unvented drum storage area was discovered and not mitigated within 24 hours.	4 containers	2/23/2011 to 2/28/2011	The tear in the fabric of the dome was repaired. Waste containers were moved away from the tear prior to repair of the fabric. The need for mitigation of damaged structures within 24 hours of discovery was discussed with facility personnel.
03/01/2011	TA-54-48, Pad 3	A large crack within the asphalt within the dome was discovered and not mitigated within 24 hours.	4 containers	03/01/2011 to 04/27/2011	The need for mitigation of damaged structures within 24 hours of discovery was discussed with facility personnel. Additionally, repair products to seal small and medium cracks are now on hand so that repairs can be executed within 24 hours.
04/21/2011	TA-54-153, Pad 6	The asphalt outside the dome on Pad 6 was found to be cracked and had several areas that needed to be filled.	30 containers	04/21/2011 to 06/14/2011	The containers stored on Pad 6 were relocated and hazardous waste will not be stored on compromised asphalt unless repairs to the asphalt are made. All waste containers were moved to TA-54, Area G, Pad 1.
8/11/2011	TA-54-145, Pad 5	A daily inspection was missed when waste was placed within TA-54-145 and hazardous waste management activities occurred at the unit.	4 containers	07/27/2011	A weekly inspection for the unit was conducted, but a daily inspection was missed.
8/11/2011	TA-54-145, Pad 5	A daily inspection was missed when waste was placed within TA-54-145 and hazardous waste management activities occurred at the unit.	6 containers	8/3/2011	A weekly inspection for the unit was conducted, but a daily inspection was missed.
8/11/2011	TA-54-145, Pad 5	Waste containers with an EPA Hazardous Waste Number D001 were discovered to be stored at a location that did not have	6 containers	7/27/2011 to 8/11/2011	The containers were relocated to a structure with proper lightning protection.

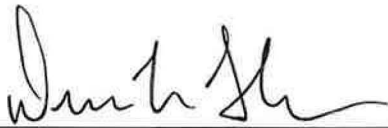
**Table 1: Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit (continued)**

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Period of Noncompliance	Steps taken to resolve and prevent
		adequate lightning protection.			
10/6/2011	Not applicable	An email notification in accordance with Permit Sections 1.13 and 1.15 with a link to the submittal of the Buildings or Fixed Structures Scheduled to be Demolished During Fiscal Year 2012 report was sent to the mailing list on 10/6/2011 instead of 10/5/2011, as the report was delivered on 09/28/2011.	Not applicable	10/5/2011 to 10/6/2011	
11/6/2011	Not applicable	Discovery that the Contingency Plan (Attachment D) was not distributed to all parties as listed in Section 2.11.3 of the Permit. Although all parties with which DOE has memorandums of understanding with were distributed the plan, two entities that were specifically listed were not sent the plan.	Not applicable	1/10/2011 to 11/7/2011	The most recent contingency plan was delivered to the Los Alamos Fire Department and the Los Alamos Office of Emergency Management on 11/7/2011. These parties will be included in all future distributions of updated contingency plans.



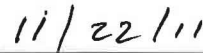
### CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



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**Dennis L. Hjeresen**  
Division Director  
Environment Protection Division  
Los Alamos National Laboratory  
Operator



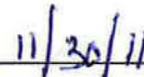
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**Date Signed**



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**Gene E. Turner**  
Environmental Permitting Manager, Los Alamos Site Office  
National Nuclear Security Administration  
U.S. Department of Energy  
Owner/Operator



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**Date Signed**



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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee  <i>U. Barros</i></p> <p>B. Received by (Printed Name)  <i>U. Barros</i></p> <p>C. Date of Delivery  <i>11-30-11</i></p>
<p>1. Article Addressed to:</p> <p>Mr. John E. Kieling Hazardous Waste Bureau New Mexico Environment Department 2905 Rodeo Park Drive East, Building 1 Santa Fe, NM 87505</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No          If YES, enter delivery address below:</p> <p>3. Service Type  <input type="checkbox"/> Certified Mail    <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered        <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail        <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee)    <input type="checkbox"/> Yes</p>
<p>2. Article Number <i>ENV-RCRA 11-0257 Noncompliance Report</i>          (Transfer from service label)</p>	

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Office at