



U.S. DEPARTMENT OF
ENERGY

ESHID-603608

National Nuclear Security Administration
Los Alamos Field Office
3747 West Jemez Road, A316
Los Alamos, New Mexico 87544
(505) 667-5105/Fax (505) 667-5948

Environmental Management
Los Alamos Field Office
P.O. Box 1663, M984
Los Alamos, New Mexico 87544
(505) 257-7950/Fax (505) 665-5903

Date: **NOV 30 2020**

Symbol: EPC-DO-20-350

LA-UR: 20-28601

Locates Action No.: Not applicable

Mr. Kevin Pierard, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6313

Subject: Fiscal Year 2020 Report of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit, Los Alamos National Laboratory, EPA ID #NM0890010515

Dear Mr. Pierard:

The United States Department of Energy (DOE) and its field offices, the National Nuclear Security Administration Los Alamos Field Office (NA-LA), and the DOE-Environmental Management Los Alamos Field Office (EM-LA), along with Triad National Security, LLC (Triad) and Newport News Nuclear BWXT-Los Alamos, LLC (N3B), collectively the Permittees, submit this report titled, *Fiscal Year (FY) 2020 Report of Releases and Instances of Non-Compliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit* to the New Mexico Environment Department - Hazardous Waste Bureau (NMED-HWB).

This report is required by the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (Permit) Sections 1.9.13, Written Reporting of a Non-threatening Release, and 1.9.14, Other Noncompliance. The Permittees are required to report to the NMED-HWB all instances of noncompliance with the Permit and to report any releases at or from a permitted unit that did not pose a threat to human health or the environment. The Permit requires the report to be submitted annually by December 1 for the previous fiscal year (FY) ending September 30.

Enclosure 1 addresses releases and instances of noncompliance at permitted units under operational responsibility of NA-LA/Triad during the reporting period. Enclosure 2 addresses releases and instances

of noncompliance at permitted units under operational control of EM-LA/N3B during the reporting period. Each enclosure also contains a signed certification page from the responsible Permittees.

If you have questions or comments concerning this submittal for NA-LA/Triad, please contact Karen E. Armijo (NA-LA) at (505) 665-7314 or Patrick L. Padilla (Triad) at (505) 412-0462.

If you have questions or comments concerning this submittal for EM-LA/N3B, please contact Arturo Duran of the Department of Energy–Environmental Management (EM-LA) at (505) 257-7907 or Emily Day (N3B) at (505) 695-4243.

Sincerely,

Karen E. Armijo Digitally signed by Karen E. Armijo
Date: 2020.11.18 09:16:38 -07'00'

Karen E. Armijo
Permitting and Compliance Program Manager
National Nuclear Security Administration
Los Alamos Field Office
U.S. Department of Energy

Sincerely,

M Lee Bishop Digitally signed by M Lee
Bishop
Date: 2020.11.19 09:37:58
-07'00'

M. Lee Bishop, Director
Office of Quality and Regulatory Compliance
Environmental Management
Los Alamos Field Office
U.S. Department of Energy

- Enclosure(s): 1) Fiscal Year (FY) 2020 Report of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit (NA-LA/Triad)
- 2) Fiscal Year (FY) 2020 Report of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit (EM-LA/N3B)

CC w/enclosures:

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COPY



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Date: **NOV 30 2020**
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LA-UR: 20-28601
Locates Action No.: Not applicable

Mr. Kevin Pierard, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6313

Subject: Fiscal Year 2020 Report of Releases and Instances of Noncompliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit, Los Alamos National Laboratory, EPA ID #NM0890010515

Dear Mr. Pierard:

The United States Department of Energy (DOE) and its field offices, the National Nuclear Security Administration Los Alamos Field Office (NA-LA), and the DOE-Environmental Management Los Alamos Field Office (EM-LA), along with Triad National Security, LLC (Triad) and Newport News Nuclear BWXT-Los Alamos, LLC (N3B), collectively the Permittees, submit this report titled, *Fiscal Year (FY) 2020 Report of Releases and Instances of Non-Compliance with the Los Alamos National Laboratory Hazardous Waste Facility Permit* to the New Mexico Environment Department - Hazardous Waste Bureau (NMED-HWB).

This report is required by the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (Permit) Sections 1.9.13, Written Reporting of a Non-threatening Release, and 1.9.14, Other Noncompliance. The Permittees are required to report to the NMED-HWB all instances of noncompliance with the Permit and to report any releases at or from a permitted unit that did not pose a threat to human health or the environment. The Permit requires the report to be submitted annually by December 1 for the previous fiscal year (FY) ending September 30.

Enclosure 1 addresses releases and instances of noncompliance at permitted units under operational responsibility of NA-LA/Triad during the reporting period. Enclosure 2 addresses releases and instances

ENCLOSURE 1

**Fiscal Year 2020 Reporting of Releases and Instances of
Noncompliance with the Los Alamos National Laboratory Hazardous
Waste Facility Permit (NA-LA/Triad)**

EPC-DO: 20-350

LA-UR-20-28601

Date: NOV 30 2020

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to 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.

JENNIFER PAYNE
(Affiliate)

Digitally signed by JENNIFER
PAYNE (Affiliate)
Date: 2020.11.13 12:46:04 -07'00'

13 November 2020

Jennifer E. Payne
Division Leader
Environmental Protection and Compliance
Triad National Security, LLC
Los Alamos National Laboratory

Date Signed

Karen E. Armijo

Digitally signed by Karen E.
Armijo
Date: 2020.11.18 09:15:57 -07'00'

18 November 2020

Karen E. Armijo
Permitting and Compliance Program Manager
National Nuclear Security Administration
Los Alamos Field Office
U.S. Department of Energy

Date Signed

Fiscal Year 2020 Reporting of Releases and Instances of Noncompliance Triad National Security, LLC

Introduction

This report has been prepared by the US Department of Energy (DOE) and Triad National Security, LLC (Triad) to meet a reporting requirement of the Los Alamos National Laboratory (LANL) Hazardous Waste Facility Permit (the Permit). Permit Sections 1.9.13 and 1.9.14 require reporting of any non-threatening release of hazardous waste or constituents from or at a permitted unit and all instances of noncompliance with the Permit. This report must be submitted to the New Mexico Environment Department-Hazardous Waste Bureau (NMED-HWB) annually by December 1 for the year ending the previous September 30.

This report addresses releases and instances of noncompliance at permitted units under operational control of Triad. None of the releases or incidents of noncompliance detailed within this report posed a potential threat to human health or the environment.

Facility Information

Owner and Operator:

United States Department of Energy
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Co-Operator:

Triad National Security, LLC.
PO Box 1663
Los Alamos, NM 87545

Facility:

Los Alamos National Laboratory
Bikini Atoll Road, SM-30
Los Alamos, NM 87545

Releases from or at a Permitted Unit

During the reporting period (October 1, 2019 through September 30, 2020), there were no releases within or from a permitted unit under operational control of Triad. A release means any accidental or intentional spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, or dumping of any hazardous waste or hazardous constituents inside a permitted unit or from a permitted unit to the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous waste or hazardous constituents.

Instances of Noncompliance with the Permit

From October 1, 2019 through September 30, 2020, Triad documented four (4) instances of noncompliance with the Permit; these occurrences are listed in Table 1, *Fiscal Year 2020 Noncompliance Report – NA-LA/Triad*.

The Permittees continue to evaluate, develop and improve waste management processes and tools to ensure compliance with the Permit. Waste operators and waste management personnel continue to identify and implement corrective actions, such as a feedback process to confirm weekly inspections have been conducted, as a best management practice to ensure compliance.

LANL Hard Copy Public Reading Room

On March 11, 2020, Governor Michelle Lujan Grisham issued the Executive Order 2020-004 declaring a public health emergency due to COVID-19. On March 23, 2020, a Public Health Order ("Order") issued by the New Mexico Department of Health detailed the requirements for essential and nonessential businesses. LANL meets the definition of an essential business and per the Order, "... may remain open provided they minimize their operations and staff to the greatest extent possible." (Order, page 4). Effective March 24, 2020, LANL required employees to telecommute unless they are essential staff. Consequently, the LANL Hardcopy Public Reading Room in Pojoaque was closed from March 23, 2020 through September 23, 2020. Documents were not placed in the hardcopy Information Repository in accordance with Permit Section 1.10 during this time. The LANL Hardcopy Public Reading Room was reopened for appointments only on September 28, 2020 with COVID-19 safety protocols in place. Fourteen (14) documents affected by this closure were delivered to the LANL Hardcopy Public Reading Room promptly upon reopening. Although the LANL Hardcopy Public Reading Room was not accessible, the Electronic Information Repository (eprr.lanl.gov) remained functional and all documents were uploaded and available to the public on time.

Fiscal Year 2020 Report of Releases and
Instances of Noncompliance (NA-LA/Triad)

Date of Discovery	Permitted Unit Location	Noncompliance	Quantity of Material	Instances	Period of Noncompliance	Steps Taken to Resolve
10/25/2019	TA-55-355	Aisle spacing was not 24 inches as required. This is a noncompliance with Permit Section 3.5.1(1).	1 drum	1	10/25/2019-10/29/2019	The aisle spacing was corrected.
12/23/2019	TA-03-29-9020	A required weekly hazardous waste inspection was not completed. This is a noncompliance of Permit Section 2.6.1.	10 containers	1	12/16/2019-12/22/2019	Employees were made aware that although no work was performed during the week of the missed inspection, that an inspection must still be performed while waste is stored.
12/23/2019	TA-03-29-9010	A required weekly hazardous waste inspection was not completed. This is a noncompliance of Permit Section 2.6.1.	4 drums	1	12/16/2019-12/22/2019	Employees were made aware that although no work was performed during the week of the missed inspection, that an inspection must still be performed while waste is stored.
1/13/2020	TA-55-4- B40	A drum was identified with missing labeling information. This is a noncompliance with Permit Section 3.6(1).	1 drum	1	1/13/2020-1/27/2020	A new label was placed upon the drum with all the required information.

ENCLOSURE 2

**Fiscal Year 2020 Reporting of Releases and Instances of
Noncompliance with the Los Alamos National Laboratory Hazardous
Waste Facility Permit (EM-LA/N3B)**

EPC-CP-DO-350

Date: NOV 30 2020

CERTIFICATION

**Fiscal Year 2020 Reporting of Noncompliance and Releases for
Newport News Nuclear BWXT-Los Alamos, LLC**

CERTIFICATION STATEMENT OF AUTHORIZATION

In accordance with the New Mexico Administrative Code Title 20, Chapter 4, Part 1 (incorporating the Code of Federal Regulations, Title 40 CFR § 270.11):

"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."



Joseph Murdock, Program Manager
Environment, Safety and Health
Newport News Nuclear BWXT-Los Alamos, LLC

10/23/20

Date

**M Lee
Bishop**

Digitally signed by
M Lee Bishop
Date: 2020.11.02
14:15:29 -07'00'

M. Lee Bishop, Director
Office of Quality and Regulatory Compliance
Environmental Management
Los Alamos Field Office

Date

1.0 INTRODUCTION

This report has been prepared by the U.S. Department of Energy (DOE) Environmental Management Los Alamos Field Office (EM-LA) and Newport News Nuclear BWXT-Los Alamos, LLC (N3B), collectively the Permittees, to meet the Los Alamos National Laboratory Hazardous Waste Facility Permit (the Permit) reporting requirement. Permit Sections 1.9.13 and 1.9.14 require reporting any non-threatening releases of hazardous waste or constituents from or at a permitted unit and all instances of noncompliance with the Permit. This report must be submitted by December 1 of each year.

This report addresses N3B-operator associated releases and instances of noncompliance from October 1, 2019, through September 30, 2020. None of the instances of Permit noncompliance detailed in this report posed a potential threat to human health or the environment. All but one noncompliance identified were able to be corrected within one day of discovery. Noncompliance concerns noted in the New Mexico Environment Department (NMED) inspection on August 10, 2020, are included in this report.

Because of a public health order issued on March 23, 2020, in response to the COVID-19 pandemic by the New Mexico Department of Health, as well as a partial stop-work order issued by EM-LA, N3B transitioned to essential mission critical activity (EMCA) status on March 24, 2020. This action limited facility operations to those considered EMCA.

2.0 FACILITY INFORMATION

Owner and Operator:

United States Department of Energy

Environmental Management Los Alamos Field Office

1900 Diamond Drive

Los Alamos, NM 87544

(505) 257-7950

Co-Operator:

Newport News Nuclear BWXT-Los Alamos, LLC

1200 Trinity Drive, Suite 150

Los Alamos, NM 87544

(505) 661-5918

Facility:

Technical Area 54

Los Alamos National Laboratory

Mesita del Buey Road

Los Alamos, NM 87545

(505) 661-5918

3.0 RELEASES FROM OR WITHIN A PERMITTED UNIT

During the period of October 1, 2019, through September 30, 2020, there were no releases at or from a permitted unit under N3B management.

4.0 INSTANCES OF PERMIT NONCOMPLIANCE

From October 1, 2019, through September 30, 2020, 17 instances of Permit noncompliance were documented and are listed in Table 1. The majority of instances of Permit noncompliance are associated with inspections and container labeling issues.

N3B continues to develop new and improved waste management policies and procedures to ensure that operations comply with the RCRA Permit. N3B is working to improve the identification of Permit noncompliance to prevent recurrence. In addition, staff training for inspections and labeling procedures is being assessed for continuous improvement.

Table 1
Fiscal Year 2020 Noncompliance Report for N3B

Date of Discovery	TA-54 Permitted Unit Location	Permit Section	Noncompliance Description	Quantity of Material Spilled	Number of Noncompliance Instances	Days Out of Compliance	Corrective Actions Taken
8/10/2020	Domes 49, 153	Permit Condition 3.6(2)	Improper labeling: 5 containers lacked "Free Liquid" labels.	None	Multiple	1	Labeled containers as "Free Liquid"
8/10/2020	Domes 49, 153, 232	Permit Condition 3.7.1	All containers storing hazardous waste with liquids must be placed on secondary containment and the coating or sealant of the containment must be maintained. Five containers with "Free Liquid" labels not stored on secondary containment.	None	Multiple	2	Placed containers on secondary containment in dome 49
7/14/2020	Dome 153, Pad 6	Permit Condition 3.2	Containers 5862389 and 5852977 had integrity issues.	None	Multiple	1	Overpacked containers.
6/30/2020	Domes 49, 153, 232	Permit Condition 3.7.1	Assessors noted 6 containers with EPA waste code D002 "Corrosive" were not placed on secondary containment.	None	Multiple	1	Corrected all items during assessment – no further action required
6/30/2020	Domes 49, 153, 232	Permit Condition 3.7.1	Coating on secondary containment pallets was peeling in Domes 49, 153, 232.	None	Multiple	1	Corrected all items during assessment – no further action required
6/30/2020	Domes 49, 153, 230, 232	Permit Condition 3.6(1)	All containers storing hazardous waste must have a hazardous waste label, visible from the aisle and legible, that includes the accumulation start date. Assessors noted 9 containers were not visible from aisle, 1 container had a damaged label, and 3 containers did not have accumulation start dates in Domes 49, 153, 230, 232. They also observed 14 containers stored on Dome 49 pad 7 did not have all-in-one labels.	None	Multiple	1	Corrected all items during assessment – no further action required
6/30/2020	Domes 49, 153, 230, 232	Permit Condition 3.6 (1)	Hazardous waste must not be stored beyond 1 year unless it is mixed waste and documented on the site treatment plan (STP) under the Federal Facility Compliance Order. Containers must be marked to identify the date storage began. Assessors verified on the STP raw data all containers storing mixed hazardous waste and 31 containers in Domes 49, 230, 232 were identified as having conflicting accumulation start dates when checked against the facility operating record (WCATS).	None	Multiple	1	Corrected 31 containers with conflicting ASD during the assessment – no further action required
6/30/2020	Domes 49, 230, 232	Permit Condition 3.6 (1)	All containers storing hazardous waste at the Facility must be fully characterized per 40 CFR §264.13 and have all applicable EPA hazardous waste numbers. Assessors noted 11 containers with EPA waste codes that conflicted with WCATS and 2 containers that had conflicting waste stream profiles in Domes 49, 230, 232.	None	Multiple	1	Corrected all items during assessment – no further action required
6/22/2020	Dome 232, Pad 9	Permit Condition 3.5.1 (1)	Aisle width did not comply with 2 ft minimum.	None	Multiple	1	Moved containers to meet 2 ft aisle width requirement
6/22/2020	Dome 232, Pad 9	Permit Condition 3.6 (1)	Container lacked visible label.	None	1	1	Relabeled container
6/22/2020	Dome 48, Pad 3	Permit Condition 3.6 (1)	Container had damaged label.	None	1	1	Replaced label
6/22/2020	Dome 48, Pad 3	Permit Condition 3.5.1 (1)	Aisle width did not comply with 2 ft minimum.	None	Multiple	1	Moved containers to meet 2 ft aisle width requirement
3/25/2020	Dome 49	Permit Condition 3.2	Container #S855307 had integrity issue.	None	1	1	Overpacked the container
12/4/2019	Dome 232	Permit Condition 3.6(1)	Containers improperly labeled.	None	Multiple	1	Relabeled containers
11/13/2019	Pad 10	Permit Condition 3.7.1	3 containers with "Free Liquid" labels not stored on secondary containment.	None	Multiple	1	Moved containers to Dome 230
11/12/2019	Container Storage Unit, Pad 1	Permit Condition 3.6(1)	Containers improperly labeled.	None	1	1	Relabeled containers
11/12/2019	Dome 412, Pad 1	Permit Condition 3.5.1 (1)	Aisle width did not comply with 2 ft minimum.	None	Multiple	1	Moved containers to meet 2 ft aisle width requirement