



Department of Energy

Carlsbad Field Office
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JAN 28 2015

Mr. Jonathan D. Edwards, Director
Radiation Protection Division
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW - MC 6608T
Washington, D.C. 20460

Subject: Response to the Environmental Protection Agency Regarding the 2014 Biennial Environmental Compliance Report

Dear Mr. Edwards:

This letter is in regards to the U.S. Environmental Protection Agency (EPA) letter dated December 17, 2014, regarding the 2014 Waste Isolation Pilot Plant (WIPP) Biennial Environmental Compliance Report (BECR). In response, the U.S. Department of Energy (DOE) is providing a supplement to the 2014 BECR. The supplement includes additional information pertinent to the February 2014, events for the time period of April 1, 2014, to January 30, 2015.

The WIPP systems have undergone extensive self-evaluation since the events. These evaluations assess both compliance and effectiveness of existing systems and have either been completed or were in progress since the February 2014, events and March 31, 2014, BECR reporting date. The evaluations encompassed systems/programs (e.g. emergency management, training, maintenance, documented safety analysis) identified as requiring improvement in the over 82 Judgment of Needs identified in the formal March 2014 and April 2014 Accident Investigation Reports, titled Underground Salt Haul Truck Fire at the WIPP February 5, 2014, and Phase 1 Radiological Release Event at the WIPP on February 14, 2014, respectively.

The DOE and Nuclear Waste Partnership LLC (NWP) are addressing the issues identified in the Accident Investigation Board (AIB) reports in a methodical and timely manner using the DOE and NWP corrective and preventive action programs to identify and address root and contributing causes. In addition, the DOE and the NWP are in the process of completing and securing approval of the formal Corrective Action Plans (CAPs) that respond to the AIB reports. Once approved, the formal CAPs will be made available to the EPA. The DOE and NWP are also currently in the process of negotiating settlement of the alleged noncompliances identified by the New Mexico Environment Department (NMED) in Administrative Compliance Order HWB-14-21 and it is therefore premature to make a final conclusion regarding WIPP Hazardous Waste Facility Permit compliance before the ongoing legal process is completed.

Upon resolution of the issues through implementation of corrective and preventive actions and improvements identified in the DOE and NWP CAPs, as well as completion of the WIPP Recovery Plan, the DOE will undergo a thorough readiness review which is, in itself, a detailed self-evaluation that includes a review of compliance with BECR subject compliance areas.

As stated above, the DOE is providing an enclosure of supplemental information to assist the EPA in their review of the 2014 BECR. This supplemental information will again be included in the next BECR submittal scheduled for October 31, 2016. The next BECR submittal will also address those concerns expressed by the EPA that are not fully resolved within the reporting period of this supplement. In the interim, the DOE will continue to practice transparency by maintaining communication and providing the status of recovery related activities with the stakeholders including the EPA, the NMED, and the general public.

If you have any questions, please contact Susan McCauslin at (575) 234-7349.

Sincerely,



Jose R. Franco, Manager
Carlsbad Field Office

Enclosure

cc: w/enclosure

- J. Roberson, DNFSB * ED
- T. Peak, US EPA ED
- J. Walsh, US EPA ED
- L. Roberts, EPA Region 6 ED
- J. Sales, EPA Region 6 ED
- S. Spalding, EPA Region 6 ED
- N. Stone, EPA Region 6 ED
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