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**Risk Reduction and Environmental Stewardship—
Remediation Services**

Quality Procedure

for **Reporting Newly-Discovered
Releases from Solid Waste
Management Units**

Revision Log

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Reporting Newly-Discovered Releases from Solid Waste Management Units

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Reporting Newly-Discovered Releases from Solid Waste Management Units

1.0 PURPOSE

This quality procedure (QP) states the responsibilities and describes the process for reporting a newly-discovered release of a hazardous waste or hazardous constituent from a solid waste management unit (SWMU) as required by Module VIII of Los Alamos National Laboratory's (LANL's) Hazardous Waste Facility Permit (Module VIII). This procedure applies to SWMUs currently listed in Module VIII, as well as SWMUs removed from Module VIII through a Class III permit modification. The success of this process directly ties to the participation of each employee within the Los Alamos National Laboratory (LANL), Risk Reduction and Environmental Stewardship, Remediation Services (RRES-RS) project.

2.0 SCOPE

2.1 All **RRES-RS project participants** shall implement this mandatory QP when reporting a newly-discovered release of a hazardous waste or hazardous constituent from a SWMU as required by Module VIII of Los Alamos National Laboratory's (LANL's) Hazardous Waste Facility Permit (Module VIII). This procedure applies to SWMUs currently listed in Module VIII, as well as SWMUs removed from Module VIII through a Class III permit modification, for the RRES-RS project.

2.2 **Subcontractors** performing work under the RRES-RS project quality program shall follow this QP.

OR

2.3 **Subcontractors** may use the subcontractor's procedure for reporting a newly-discovered release of a hazardous waste or hazardous constituent from a SWMU as required by Module VIII of Los Alamos National Laboratory's (LANL's) Hazardous Waste Facility Permit (Module VIII). This procedure applies to SWMUs currently listed in Module VIII, as well as SWMUs removed from Module VIII through a Class III permit modification, for the RRES-RS project, as long as the substitute meets the requirements prescribed by the Quality Management Plan, and the quality program project leader (QPPL) approves the procedure before the subcontractor begins the designated activity.

3.0 TRAINING

3.1 **RRES-RS project participants** shall train (e.g., read and/or classroom) to and use the current version of this QP; contact the author of this QP if the text is unclear.

- 3.2 **RRES-RS project participants** using this QP shall document training in accordance with QP-2.2.
- 3.3 The responsible **project leader (PL)** shall monitor the proper implementation of this procedure.
- 3.4 The **team leader (TL)** shall ensure that the appropriate personnel complete all applicable training assignments.
- 3.5 **RRES-RS project participants** may request any needed assistance with implementation of this procedure from RRES-RS Quality Integration and Improvement (QII).

4.0 DEFINITIONS

- 4.1 *Hazardous constituent*—Those constituents identified in Appendix VIII of Title 40 of the Code of Federal Regulations (40 CFR) Part 261 or identified in Appendix IX of 40 CFR Part 264.
- 4.2 *Hazardous waste*—A solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in serious irreversible, or incapacitating irreversible, illness; or pose a substantial present or potential hazard to human health and the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. Hazardous waste includes hazardous constituents.
- 4.3 *Newly-discovered release*—Any release(s) of hazardous waste, including hazardous constituents, in which there is a statistically significant increase over the background data for the media of concern, during the course of groundwater monitoring, field investigation, environmental auditing, or other activities undertaken after commencement of the Resource Conservation and Recovery Act (RCRA) facility investigation (RFI).
- 4.4 *Release*—Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of hazardous waste or hazardous constituents into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles that contain any hazardous waste or hazardous constituents).
- 4.5 *Solid waste*—Any garbage, refuse, or sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. Solid waste does not include solid or dissolved materials in domestic sewage, irrigation return flow, or

industrial point-source discharges subject to permits under the Clean Water Act. Solid waste also does not include source, special nuclear, or byproduct material as defined by the Atomic Energy Act.

- 4.6 *Solid waste management unit*—Any discernible unit at which solid wastes have been routinely and systematically placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste.

5.0 RESPONSIBLE PERSONNEL

The following personnel are responsible for activities identified in this procedure:

- DOE-LASO project director
- RRES-RS deputy project director—It is the responsibility of the deputy project director to designate a regulatory compliance staff member to respond to the potential new release and to notify the environmental project leader of the designated regulatory compliance staff.
- RRES-RS project personnel (worker)—It is the responsibility of all RRES-RS project personnel to inform the RRES-RS deputy project director of a new release upon discovery, to initiate the SWMU Release Report, and to notify the regulatory compliance staff designated by the deputy project director.
- RRES-RS environmental project leader—The project leader is responsible for coordinating with the regulatory compliance staff designated by the deputy project director to establish the appropriate path forward and specific language to be included in the written notification to the New Mexico Environment Department (NMED), Hazardous Waste Bureau (HWB) (see section 6.4).
- Regulatory compliance staff—The regulatory compliance staff designated by the deputy project director is responsible for
 - verifying the newly-discovered release from the SWMU;
 - coordinating the reporting and notification of the release as specified in sections 6.2, 6.3, and 6.4; and
 - submitting documentation of the release to the RRES-RS Records Processing Facility (RPF) as specified in Section 8.0.
- TL

6.0 PROCEDURE

6.1 Review Identification Process

LANL shall notify the NMED-HWB of any newly-discovered release(s) from a SWMU.

- 6.1.1 **RRES-RS project personnel** may identify a newly-discovered release during the course of groundwater or surface water monitoring, field investigations, internal or external environmental auditing, or other activities conducted after initiation of the RFI.
- 6.1.2 The **regulatory compliance staff** designated by the deputy project director shall verbally notify HWB within 24 hours of discovery.
- Note:** Submit this notification in writing to HWB within 15 calendar days of discovery.
- 6.1.3 The **regulatory compliance staff** shall notify the HWB even if the newly-discovered release is from a SWMU that has a “no further action” (NFA) determination from NMED or the US Environmental Protection Agency (EPA).
- 6.1.4 **RRES-ER project personnel** shall make an initial assessment to determine whether the release poses a threat to human health and/or the environment (see section 6.5).

6.2 Report SWMU Releases

- 6.2.1 **RRES-RS project personnel** shall inform the RRES-RS deputy project director of a suspected new release upon discovery and shall coordinate with appropriate facility management (FM) personnel to ensure the identification and reporting to the RRES-RS project of releases addressed in this QP.
- 6.2.2 The **RRES-RS project worker** who identifies the suspected newly-discovered release shall complete Part I of the SWMU Release Report (Attachment A) when the suspected release is discovered, including
- the date and time the release was discovered;
 - the name of the individual who reported the release and his or her telephone number;
 - the location of the release (SWMU number);
 - a description of the SWMU release area, including the former operable unit (OU) number, if known;
 - basis for identifying the release, including hazardous wastes/constituents having an increase above background, the location of any samples showing an increase above background, and observed and background concentrations; and
 - the extent of release.

6.2.3 Once this information is recorded on the SWMU Release Report, the **RRES-RS project worker** who reported the release shall coordinate with the designated, regulatory compliance staff to obtain concurrence that the release meets the definition of “newly-discovered” or to ensure that the site is appropriately investigated if further information is necessary.

Note: Base the determination of whether the release is “newly-discovered” on the decision process shown in Attachment B.

6.2.4 The **RRES-RS project worker** who reported the release and the designated, **regulatory compliance staff** shall sign Part I of the SWMU Release Report to indicate concurrence with the report.

6.3 Notify Verbally

6.3.1 The designated **regulatory compliance staff** shall begin notifying the organizations and individuals listed below within two hours of concurring with the newly identified release:

- the management of LANL’s Meteorology and Air Quality Group (RRES-MAQ), Water Quality and Hydrology Group (RRES-WQH), Solid Waste Regulatory Compliance Group (RRES-SWRC), and the Ecology Group (RRES-ECO), as appropriate;
- the RRES-RS deputy project director; and
- the Department of Energy—Los Alamos Site Office (DOE-LASO).

6.3.2 The **Regulatory Compliance** staff designated by the Deputy Project Director coordinates verbal notification of NMED within 24 hours of discovery of the release.

6.3.3 The designated **regulatory compliance staff** shall document verbal notifications in Parts II and III of the SWMU Release Report.

6.4 Prepare Written Notification

6.4.1 The designated **regulatory compliance staff** shall prepare a letter to HWB, in accordance with QP 4.10, that addresses the newly-discovered release.

6.4.2 The **PL** and the designated **regulatory compliance staff** shall decide the most appropriate path forward to address this new release, including the appropriate language in the letter.

6.4.2.1 For example, if the newly-identified release is located at an active SWMU that is undergoing investigation or is

scheduled to undergo investigation in the future, then the **PL** and designated **regulatory compliance staff** shall write a notification indicating that the release will be addressed as part of the ongoing investigation of the SWMU.

6.4.2.2 Or, if the newly identified release is located at an inactive SWMU or was recommended for NFA, the **PL** and designated **regulatory compliance staff** shall decide the most appropriate path forward to address this new release, e.g., an accelerated corrective action, submittal of a sampling and analysis plan, or any other plan of action deemed appropriate.

6.4.3 The **RRES-RS project director** and the **DOE-LASO project director** shall sign the letter.

Note: DOE-LASO must receive the letter within 10 days of confirmation of the newly-discovered release to ensure that the written notification is received by the HWB within 15 days of discovery.

6.4.4 The designated **regulatory compliance staff** shall sign Part IV of the SWMU Release Report to indicate that the correct reporting protocol was observed, sufficient information was provided to DOE-LASO and NMED, and the SWMU release was reported in the required time period.

6.4.5 The designated **regulatory compliance Staff** shall compile a complete documentation package that includes

- the finalized SWMU Release Report;
- a notification letter; and
- any other documentation deemed necessary.

6.4.6 The designated **regulatory compliance staff** shall distribute copies of this documentation package to

- the RRES-RS deputy project director;
- the PL responsible for the SWMU where the newly-identified release occurred; and
- the appropriate FM.

6.5 Assess the Newly-Discovered Release

6.5.1 If the HWB requires further investigation of the newly-discovered release(s) and formally requests such an investigation, the **PL**

shall prepare a plan for the investigation, in accordance with QP-4.9, submitting it to HWB for review and approval.

6.5.2 The HWB may take action in accordance with Section J of Module VIII if the HWB determines that the release poses a threat to human health and/or the environment.

6.6 Update SWMU Documentation

The **PL** shall provide information to the RRES-RS GIS Unit, as needed, in order to update RRES-RS GIS maps in accordance with QP-5.8.

7.0 LESSONS LEARNED

7.1 Before performing work described in this QP, **RRES-RS project participants** should go to the Department of Energy Lessons Learned Information Services home page, located at <http://www.tis.eh.doe.gov/II/II.html>, and/or to the LANL Lessons Learned Resources web page, located at http://www.lanl.gov/projects/lessons_learned/, and search for applicable lessons.

7.2 During work performance and/or after the completion of work activities, **RRES-RS project participants**, as appropriate, shall identify, document, and submit lessons learned in accordance with the LANL, Lessons Learned System located at http://www.lanl.gov/projects/lessons_learned/.

8.0 RECORDS

The designated **regulatory compliance staff** shall submit the following records to the Records Processing Facility, in accordance with QP-4.4:

- the finalized SWMU Release Report
- a notification letter
- any other documentation deemed necessary

9.0 REFERENCES

To implement properly this QP, **RRES-RS project participants** should become familiar with the contents of the following documents, located at http://erinternal.lanl.gov/home_links/Library_proc.shtml:

- RRES-RS Quality Management Plan
- QP-2.2, Personnel Orientation and Training
- QP-4.4, Record Transmittal to the Records Processing Facility
- QP-4.9, Document Development and Approval Process: Peer Review Required

- QP-4.10, Document Development and Approval Process: Peer Review Not Required
- QP-5.8, Identification, Documentation, and Reporting of Newly-Identified Potential Release Sites

10.0 ATTACHMENTS

The **user** of this QP may locate all forms associated with this procedure at <http://erinternal.lanl.gov/Quality/user/forms.asp>.

Attachment A: SWMU Release Report, 2 pages

Attachment B: Decision Process for Identifying Newly-Discovered Releases at SWMUs, 1 page

Attachment C: List of Acronyms and Abbreviations, 1 page

[Using a token card, click here to record "self-study" training to this procedure.](#)

If you do not possess a token card or encounter problems, contact the RRES-ECR training specialist.

Attachment A: Solid Waste Management Unit Release Report

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Part I: Release Report (RRES-RS project worker who discovers the release completes.)

Date/Time release discovered: _____

Release reported by: _____ Phone: _____
(print name and title)

Location of release (SWMU number): _____

Description of SWMU release area (include OU number): _____

Note: It may be helpful to attach a sketch or map.

How release discovered? _____

Note: Attach data showing statistically significant increase over background.

Suspected or known release of solid waste, hazardous waste, or hazardous constituents _____

Extent of release _____

Other (e.g., actions taken) _____

Signature (Person reporting the release)	Date	Signature (PL)	Date
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Part II: Protocol—Record of Notification Process (Regulatory compliance staff completes.)

Environmental Management Services Group informed (RRES-MAQ, RRES-WQH, RRES-SWRC, and/or RRES-ECO, as appropriate).

Individual contacted _____ Title _____

Instructions provided/received _____

RRES-RS deputy project director informed.

Instructions provided/received _____

Other _____

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Los Alamos National Laboratory
RRES-Remediation Services

Attachment A: Solid Waste Management Unit Release Report (cont.)

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Part II. Protocol—Record of Notification Process (continued)

Department of Energy – Los Alamos Site Office informed.

Individual contacted _____ Title _____

Instructions provided/received: _____

Facility Manager informed.

Individual contacted _____ Title _____

Instructions provided/received: _____

Further investigation of release requested?

Set up schedule for conference call to NMED?

Other (e.g., actions taken) _____

Part III. Verbal Report to NMED (Regulatory compliance staff completes.)

Record of conference call:

Date/Time _____

Individual(s) contacted _____

Title(s) respectively _____

Instructions _____

Part IV. Signature (Regulatory compliance staff completes.)

The verbal and written notification process completed as required.

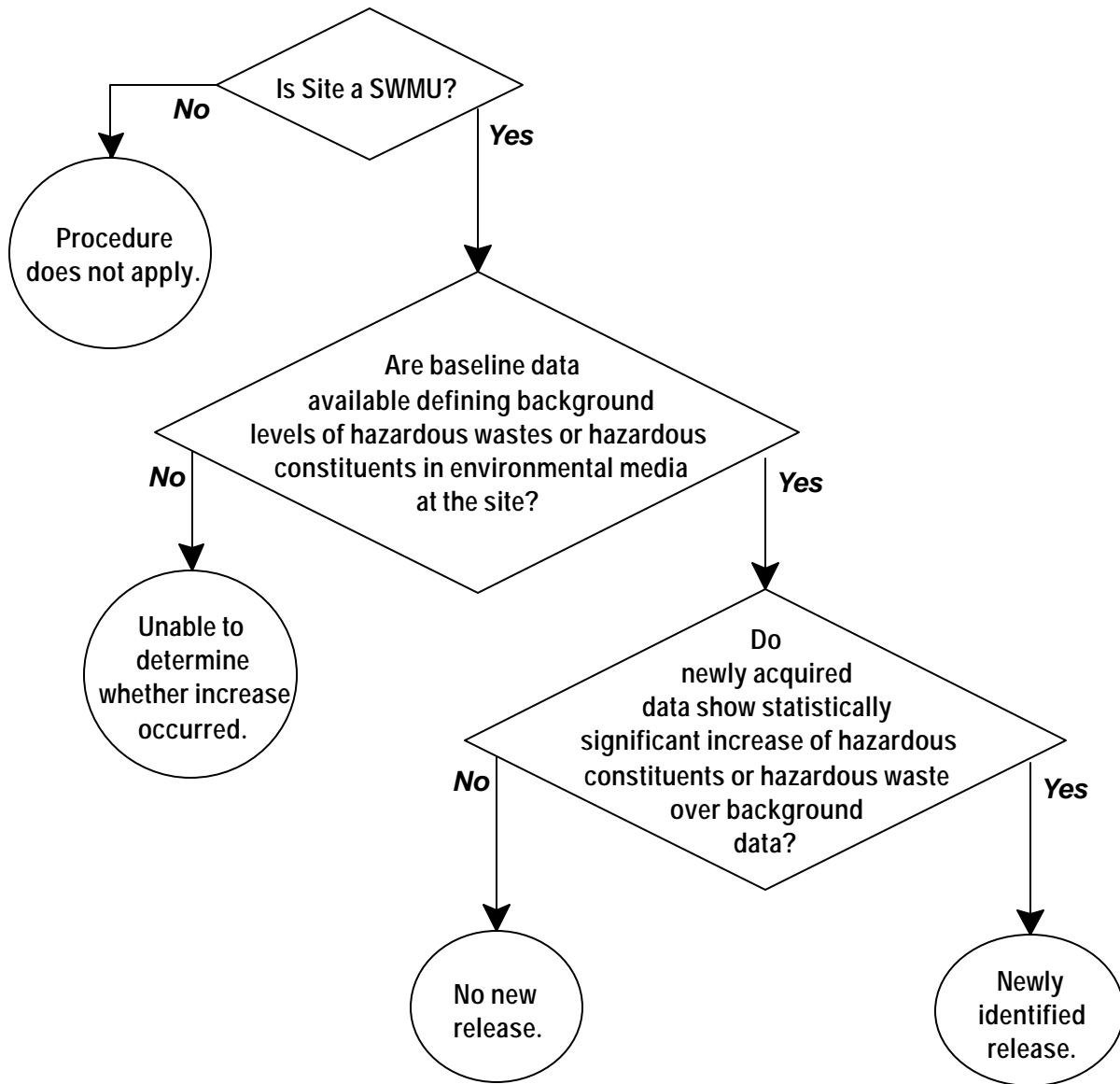
Name (print) _____ Signature _____ Date _____

Attach NMED notification letter and any other appropriate documentation to this form and submit the entire package to the RRES-RS Records Processing Facility, RRES-RS Deputy Project Director, Team Leader, and the appropriate Facility Manager.

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Los Alamos National Laboratory
RRES-Remediation Services

Attachment B: Decision Process for Identifying Newly-Discovered Releases at SWMUs



Attachment C: List of Acronyms and Abbreviations

AA	administrative authority
CFR	Code of Federal Regulations
DOE-LASO	US Department of Energy – Los Alamos Site Office
EM&R	Emergency Management and Response Group
EPA	Environmental Protection Agency
FM	facility manager
HWB	Hazardous Waste Bureau (of NMED)
NFA	no further action
NMED	New Mexico Environment Department
PRS	potential release site
QP	quality procedure
RCRA	Resource Conservation and Recovery Act
RFI	RCRA facility investigation
RRES-RS	Risk Reduction and Environmental Stewardship – Remediation Services
RRES-MAQ	Meteorology and Air Quality Group
RRES-WQH	Water Quality and Hydrology Group
RRES-SWRC	Solid Waste Regulatory Compliance Group
RRES-ECO	Ecology Group
SMO	Sample Management Office
SWMU	solid waste management unit