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JAN 20 2010

Walter F. Wegst, Chair  
Community Advisory Board for Nevada Test Site Programs  
232 Energy Way  
North Las Vegas, NV 89030

### COMMUNITY ADVISORY BOARD (CAB) UPDATE – PERMA FIX ROOT CAUSE ANALYSIS

At the December 16, 2009, CAB meeting, I committed to updating the CAB on the results of the Corrective Action Request (CAR) resulting from shipments of waste received at the Nevada Test Site (NTS) which included containers that were not Department of Transportation (DOT) compliant. The error had been identified by the generator, Perma-Fix M&EC (Oak Ridge, TN), and they reported to DOE that some containers did not meet DOT regulations.

Upon arrival at the NTS, the waste was verified to be disposal compliant. The non-DOT compliant containers had not breached and no release of contamination was found. A decision was made to dispose of the waste at the NTS rather than repackaging and returning to the generator location.

The generator, Perma-Fix M&EC (Oak Ridge, TN), reported the cause of the nonconformance was both personnel error and inadequate procedure. In addition to the generator failing to verify the required packaging was used, it was determined the existing procedure did not adequately specify the packaging determination be conducted. Shipments from other sites were not affected and the employee responsible for the shipping was terminated. Procedures have been revised to require packaging determination and to include an independent physical check to ensure the appropriate packaging type is visibly marked on the package.

The corrective actions have been implemented and the Nevada Site Office believes they are adequate to preclude recurrence. Thank you for your attention to detail regarding this issue. I hope your questions have been adequately addressed. Please direct any additional questions you may have to Kelly Snyder at (702) 295-2836.

E. Frank Di Sanza  
Federal Project Director  
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PSG:6034.KS

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-2-

**JAN 20 2010**

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