

GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
2044 A Galisteo, P.O. Box 26110
Santa Fe, New Mexico 87502-6110
Telephone (505) 827-1557
Fax (505) 827-1544



PETER MAGGIORE
SECRETARY

PAUL R. RITZMA
DEPUTY SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 14, 2001

Dr. Inés Triay, Manager
Carlsbad Area Office
Department of Energy
P. O. Box 3090
Carlsbad, New Mexico 88221-3090

Mr. Hank Herrera, General Manager
Westinghouse TRU Solutions LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-5608

**RE: REQUEST FOR WASTE CHARACTERIZATION RECORDS AND RESULTS
WIPP HAZARDOUS WASTE FACILITY PERMIT
EPA I.D. NUMBER NM4890139088**

Dear Dr. Triay and Mr. Herrera:

The New Mexico Environment Department (NMED) recently observed the recertification audit A-01-07 at Rocky Flat Environmental Technology Site (RFETS) on January 29 – February 1, 2001. During this audit, NMED staff and audit team members raised concerns about the waste characterization activities and records for waste container RFD72774 related to the proper identification of fluorescent light ballasts. According to the WIPP Waste Information System (WWIS), this container is associated with Waste Stream Profile RF002.01 and was emplaced in the Panel 1 on April 12, 2000.

Pursuant to the New Mexico Hazardous Waste Act [NMSA 1978, Section 74-4-4.3], the New Mexico Hazardous Waste Regulations [20.4.1.900 NMAC (incorporating 40 CFR §270.30(h))], and Permit Condition I.E.8, DOE and Westinghouse (the Permittees) must provide to NMED all records and results of waste analyses performed on container RFD72774 as required under Permit Condition I.I.1. These records shall include, but are not limited to, the following specific items:

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Dr. Inés Triay
Mr. Hank Herrera
February 14, 2001
Page 2

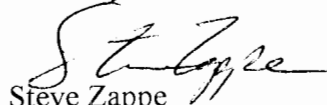
- Waste/Residue Traveler for container RFD72774
- Real-Time Radiography (**RTR**) Batch Report including RTR Waste Package Report and Waste Characterization RTR Report for container RFD72774
- Copy of RTR videotape for container RFD72774
- Visual Examination (**VE**) Batch Report including VE Drum Log for container RFD72774
- Copy of VE videotape for container RFD72774
- Any Nonconformance Reports related to container RFD72774
- Backlog Waste Reassessment Baseline Book, Waste Form 24, Metal, May 1999 (referenced in the Waste Stream Profile Form)
- Waste Characterization Program Manual, 1-MAN-036-EWQA-Section 1.6.1, Revision 1, December 1999 (referenced in the Waste Stream Profile Form)

In addition, the Permittees should furnish any additional information that they believe may be relevant to this request. NMED is particularly interested in understanding the similarities and differences between the RF002.01 light metal waste stream at RFETS and the INW296.001 light metal waste stream at INEEL. NMED notes that INW296.001 was also generated at RFETS, and that INEEL acceptable knowledge documentation lists "lighting ballasts" as other items identified in that waste stream.

Permit condition I.E.8 requires that the Permittees furnish such information to NMED within a reasonable time frame. NMED understands that the Permittees are already reviewing documentation related to this request, and that you expect to submit your findings to NMED sometime next week. Therefore, please furnish the items listed above to NMED within ten (10) calendar days of receipt of this request for information. NMED will consider a petition to extend the deadline for portions of the required information if you provide a written justification and expected submittal date for each portion. Based upon a review of the information furnished, NMED may request additional information at a later date.

If you have further questions regarding this matter, please contact me at (505) 827-1560, x1013.

Sincerely,



Steve Zappe
NMED WIPP Project Leader

Dr. Inés Triay
Mr. Hank Herrera
February 14, 2001
Page 3

cc: Paul Ritzma, NMED
Greg Lewis, NMED WWMD
James Bearzi, NMED HWB
John Kieling, NMED HWB
Debby Brinkerhoff, NMED HWB
Susan McMichael, NMED OGC
David Neleigh, EPA Region 6
Connie Walker, TechLaw
File: Red WIPP '01