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**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**



PETER MAGGIORE  
SECRETARY

PAUL R. RITZMA  
DEPUTY SECRETARY

March 16, 2001

Dr. Inés Triay, Manager  
Carlsbad Field 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: NMED APPROVAL OF LANL FINAL AUDIT REPORT, AUDIT A-00-16**  
**WASTE ISOLATION PILOT PLANT**  
**EPA I.D. NUMBER NM4890139088**

Dear Dr. Triay and Mr. Herrera:

On January 8, 2001, the New Mexico Environment Department (**NMED**) withheld approval of the Final Audit Report of the Los Alamos National Laboratory (**LANL**) Audit A-00-16 until the Department of Energy's Carlsbad Field Office and Westinghouse (**the Permittees**) submitted additional information demonstrating full implementation of WAP requirements. In response to this letter, NMED received the following documents from the Permittees:

- On February 5, 2001, NMED received a revised Final Audit Report for LANL dated February 1, 2001 including a response to comments and additional objective evidence in support of LANL's compliance with WAP requirements.
- On February 26, 2001, NMED received a retraction dated February 21, 2001 of erroneous statements made by the Permittees in the previous response to comments. This submittal consisted of a revised response to comments and replacement pages for the B6 checklist.
- On March 6, 2001, NMED received a revised response dated March 5, 2001 concerning the calculation and reporting of Acceptable Knowledge (**AK**) percent accuracy, including a revised procedure and example AK accuracy report.

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Attached are NMED's general comments based upon review of the submitted information. NMED concludes that the Audit Report and supplemental information adequately demonstrate that LANL has implemented the applicable characterization requirements of the WAP for retrievably stored contact-handled debris waste. Therefore, NMED approves the Permittees' Final Audit Report for LANL Audit A-00-16.

If you have any questions regarding this matter, please contact me at (505) 827-1758.

Sincerely,



Gregory J. Lewis  
Director  
Water and Waste Management Division

GJL:soz

Attachment

cc: James Bearzi, NMED HWB  
John Kieling, NMED HWB  
Steve Zappe, NMED HWB  
Susan McMichael, NMED OGC  
David Neleigh, EPA Region 6  
Mary Kruger, EPA ORIA  
Connie Walker, TechLaw  
Matthew Silva, EEG  
Don Hancock, SRIC  
Joni Arends, CCNS  
File: Red WIPP '01 ✓

**NMED COMMENTS ON THE  
REVISED FINAL AUDIT REPORT OF THE  
LOS ALAMOS NATIONAL LABORATORY (LANL)**

1. Checklists must be thoroughly completed, with accurate, detailed references to supporting information. The Permittees have committed to provide this information, as stated in their letter to NMED dated February 23, 2001. Additionally, care should also be taken to ensure that no extraneous unreferenced documents are included; similarly, all supporting references (i.e., all supplemental information examined) must be referenced to demonstrate that the auditors checked information in the AK record thoroughly and to the appropriate level of detail (see Comment 2, below). Also, while the examination of batch reports can support the traceability analysis, NMED expects traceability to include the identification of drums specific to the subject waste stream, and the tracing of said drum information through supporting "roll-up" documents and subsequent supporting information, including supplemental MSDS, interview, or other information, as applicable. If drum-specific AK information is available, this information should always be examined as part of the traceability analysis to understand how these data were assessed and rolled up to the more general AK supporting documentation (i.e., AK Summary Reports, etc.).
2. Typically, auditors reviewing AK information go well beyond the general document review level, examining numerous supplemental information references (i.e., interviews, historic building process information, laboratory notebooks, etc.) to ensure that information presented in the more general documents is thorough, accurate, and appropriately assembled. All relevant supplemental information examined should be represented on the checklists, and the Permittees must determine a method to ensure that Unclassified Controlled Nuclear Information (UCNI) or other classified information examined is appropriately represented on the checklists and Audit Reports. That is, while UCNI or similar material cannot be directly copied and included in reports, excerpts appropriate to the subject matter could, for example, be repeated in the checklists with an explanation regarding the source of the material.
3. The Permittees should always justify waste stream designations, and should thoroughly evaluate the methods by which generator sites designate waste streams (e.g., hazardous vs. non-hazardous), ensuring that these determinations have been consistently applied.