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PETER MAGGIORE  
SECRETARY

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

February 1, 2002

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

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

**RE: NMED APPROVAL OF SRS/CCP FINAL AUDIT REPORT, AUDIT A-02-09  
WASTE ISOLATION PILOT PLANT  
EPA I.D. NUMBER NM4890139088**

Dear Dr. Triay and Mr. Lee:

On November 30, 2001, NMED received the initial Final Audit Report of the Westinghouse TRU Solutions Central Characterization Project (CCP), Audit Number A-02-09 (**Audit Report**), from the Department of Energy's Carlsbad Field Office (CBFO). CBFO and Westinghouse (**the Permittees**) were required to submit this Audit Report under the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit as specified in Permit Condition II.C.2.c. The intended scope of this audit was to evaluate the adequacy, implementation, and effectiveness of the CCP waste characterization processes for retrievably stored contact-handled debris waste relative to the requirements of the WIPP Permit at the Savannah River Site (SRS).

NMED's preliminary review of the Audit Report text identified a serious lack of understanding by the Permittees of the requirements specified in Permit Condition II.C.2 to perform audits of generator/storage sites (see attached e-mail from Steve Zappe, NMED, to Earl Bradford, CTAC Audit Team Leader dated November 30, 2001). NMED had previously expressed concern regarding implementation of the project as envisioned by the Permittees during the June 18 - 22, 2001 surveillance of the CCP, when NMED had stated that the CCP was not a generator/storage site under the Permit and that there needed to be a clearer demonstration of ownership of waste

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characterization activities by the generator/storage site using CCP's services. NMED delayed extensive review of the Audit Report until the Permittees submitted a revised Final Audit Report on December 6, 2001, reflecting a correct understanding of the role of the CCP under the current Permit (e.g., compare Section 5.1, Program Adequacy and Implementation, between the initial and revised version of the Audit Report).

The Audit Report documentation submitted to NMED consisted of the following items:

- a narrative report
- completed copies of relevant Permit Attachment B6 checklists
- final SRS and CCP standard operating procedures (electronic)
- corrective action reports and items corrected during the audit
- objective evidence examined during the audit
  - general information
  - acceptable knowledge
  - headspace gas
  - real time radiography
  - visual examination

NMED has examined the Audit Report for evidence of compliance with the requirements of Permit Conditions II.C.2 (Audit and Surveillance Program) and II.C.1 (Waste Analysis Plan). NMED representatives observed the SRS/CCP audit on October 15-19, 2001, and specifically evaluated the Audit Report for compliance with the following permit requirements:

- Permit Condition II.C.2.a (*Requirement to Audit*) - the Permittees shall demonstrate to the Secretary that the generator/storage sites have implemented and comply with applicable requirements of the WAP by conducting an audit of the generator/storage sites as specified in Permit Attachment B, Section B-4b(1)(iii), and Permit Attachment B6 (Waste Isolation Pilot Plant Permittees' Audit and Surveillance Program), and as required by 20 NMAC 4.1.500 (incorporating 40 CFR §264.13).
- Permit Condition II.C.2.c (*Final audit report*) - the Permittees shall provide the Secretary a final audit report as specified in Permit Attachment B6. The final audit report shall include all information specified in Permit Attachment B6, Section B6-4, and: (i) A detailed description of all corrective actions and the resolution of any corrective action applicable to WAP requirements, including re-audits if required; (ii) documentation necessary for the Secretary to determine if the corrective action was resolved.

NMED reiterates that the CCP procedures used at SRS have been evaluated for adequacy, implementation, and effectiveness *at SRS only*. Subsequent deployment of the CCP at any other generator/storage site will require a full audit of each applicable procedure at that site. Even if

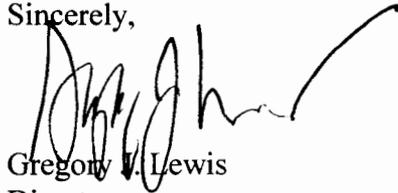
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procedures have not been revised in the interim (thereby implying continued adequacy), the Permittees will still need to conduct audits in compliance with the Permit to ensure these procedures are properly and effectively implemented *at each site*.

Attached are NMED's general comments based upon review of the Audit Report. NMED concludes that the Audit Report adequately demonstrates that SRS, through use of the CCP, has implemented the applicable characterization requirements of the WAP for retrievably stored debris waste. Therefore, NMED approves the Permittees' Final Audit Report for SRS/CCP Audit A-02-09. However, the April 10, 2001 approval for SRS-only characterization activities of the individual waste stream SR-T001-221F-HET is unchanged by this Audit Report. SRS will have to wait until NMED receives, reviews, and approves the report for Audit A-02-06 conducted December 10-14, 2001 before this prior approval is modified.

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

Sincerely,



Gregory W. Lewis  
Director  
Water and Waste Management Division

GJL:soz

Attachment

cc: James Bearzi, NMED HWB  
John Kieling, NMED HWB  
Steve Zappe, NMED HWB  
R. Lewis Shaw, SC DEHC  
David Neleigh, EPA Region 6  
Betsy Forinash, EPA ORIA  
Connie Walker, TechLaw  
Matthew Silva, EEG  
Don Hancock, SRIC  
Joni Arends, CCNS  
Lindsay Lovejoy, NMAGO  
File: Red WIPP '02

**NMED COMMENTS ON THE FINAL AUDIT REPORT OF THE  
WESTINGHOUSE SAVANNAH RIVER COMPANY UTILIZATION OF THE  
CENTRALIZED CHARACTERIZATION PROJECT (CCP)/  
SAVANNAH RIVER SITE (SRS)**

1. The body of the CCP/SRS Final Audit Report (**Audit Report**) appears to generally address applicable elements, but checklist element responses could be improved:
  - Audit activities and results, as presented on the checklists and TABs, did not always reflect the thoroughness of events or activities as observed by NMED.
  - Many of the crosswalk references were confusing to the Audit Report reviewers. There did not seem to be consistency in this instance.
  - Some permit citation references were not included in the B-6 Checklist, and required the Audit Report reviewers to research the citations.
  
2. During the audit, an additional RCRA waste code, D008, was added to waste stream SR-T001-221F-HET through the discovery of lead lined gloves in the RTR portion of the audit, rendering the waste stream a mixed waste. This is the same waste stream for which SRS is currently authorized to characterize, and is covered by approved Waste Stream Profile Form SR2001.001.00 as a *non-mixed* waste stream. Even after observing the audit, NMED is uncertain how new information identified by CCP (such as adding a RCRA code to a waste stream) is shared with the SRS characterization program, especially considering that both programs are characterizing the same waste stream. NMED is approving the use of CCP at SRS, but will examine the linkages between CCP and SRS even more closely in the recertification audit report for A-02-06 when it is submitted.
  
3. As noted in the cover letter, approval of this Audit Report is not a general endorsement of the overall CCP program, but is instead restricted to expanding the scope of the waste characterization program at SRS who is contracting with the CCP to characterize waste on their behalf.

**Subject: Final CCP audit report**

**Date:** Fri, 30 Nov 2001 14:12:17 -0700

**From:** Steve Zappe <Steve\_Zappe@nmenv.state.nm.us>

**Organization:** NMED Hazardous Waste Bureau

**To:** "Bradford, Earl - CTAC" <Earl.Bradford@wipp.carlsbad.nm.us>

**BCC:** conniewalk@aol.com

Earl -

I received the audit report today. Please e-mail me electronic copies of the report and the completed B6 checklists for my records. Thanks!

Steve'

ps - please note that the letter and audit report directly reference CCP as the entity being audited, which does not fit the definition of generator/storage site in the permit. You can expect our response to the audit report will make a clear case (if in fact I can make it any clearer than I have in the past) that any approval (if granted) will *\*not\** be for the CCP, but instead for SRS employing CCP as a "contractor" or whatever term is appropriate for them providing this service. I hope we won't ever have to deal with *\*this\** issue again...

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<p>Steve Zappe &lt;<a href="mailto:steve_zappe@nmenv.state.nm.us">steve_zappe@nmenv.state.nm.us</a>&gt; NMED Hazardous Waste Bureau</p>
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