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ENTERED



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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 18, 2003

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

Dr. Steven Warren, President
Washington TRU Solutions LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-5608

**RE: NMED APPROVAL OF NEVADA TEST SITE /CENTRAL CHARACTERIZATION PROJECT
FINAL AUDIT REPORT, AUDIT A-02-15
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Dr. Triay and Dr. Warren:

On November 26, 2002, NMED received the initial Final Audit Report of the Nevada Test Site/Central Characterization Project (NTS/CCP), Audit Number A-02-15 (**Audit Report**), from the Department of Energy's Carlsbad Field Office (CBFO). CBFO and Washington TRU Solutions LLC (**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 initial certification audit was to evaluate the adequacy, implementation, and effectiveness of the NTS/CCP waste characterization processes for retrievably stored debris contact-handled waste relative to the requirements of the WIPP Permit. The Audit Report documentation submitted to NMED consisted of the following items:

- A narrative report
- Completed copies of relevant Permit Attachment B6 checklists
- Final NTS/CCP standard operating procedures (electronic and hard copies)
- Corrective action reports and items corrected during the audit

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- Objective evidence and batch data reports examined during the audit
 - General information
 - Acceptable knowledge
 - Headspace gas
 - Real time radiography
 - Visual examination

NMED notes that the B6 checklist, an integral element of the Audit Report, contained incorrect sources, information, and typographical errors. NMED transmitted an e-mail on December 12, 2002 to the audit team leader requesting a corrected version of the B6 checklist and attached a memo identifying specific concerns. NMED received a corrected version on December 23, 2002, which restarted the time frame for examination of the Audit Report.

NMED representatives observed the NTS/CCP audit on September 23 – 27, 2002. 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 [WAP]), and specifically evaluated the Audit Report for compliance with the following permit requirements:

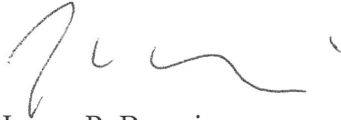
- Permit Condition II.C.2.a (*Requirement to Audit*) - the Permittees shall demonstrate to the Secretary that the generator/storage sites have implemented and comply with applicable requirements of the WAP by conducting an audit of the generator/storage sites as specified in Permit Attachment B, Section 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.

The Audit Report indicates there was one WAP-related conditions adverse to quality requiring the issuance of a CBFO corrective action report that was corrected prior to submittal of the Audit Report; two deficiencies requiring only remedial actions that were corrected during the audit; eight observations identifying conditions that, if not controlled, could result in conditions adverse to quality; and seven recommendations identifying opportunities for improvement.

NMED concludes that this Audit Report demonstrates that NTS/CCP has adequately implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for NTS/CCP Audit A-02-15 for the certification of retrievably stored debris contact-handled waste.

If you have any questions regarding this matter, please contact me at (505) 428-2512.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:soz

cc: Steve Zappe, NMED HWB
Tracy Hughes, NMED OGC
Paul Liebendorfer, NDEP
Laurie King, EPA Region 6
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