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State of New Mexico
ENVIRONMENT DEPARTMENT

REGISTERED

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 2, 2004

R. Paul Detwiler, Acting 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 THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE FINAL
AUDIT REPORT, AUDIT A-04-08
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Mr. Detwiler and Dr. Warren:

On November 12, 2003, the New Mexico Environment Department (NMED) received the Final Audit Report of the Rocky Flats Environmental Technology Site (RFETS) Audit Number A-04-08 (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 ensure the adequacy, implementation, and effectiveness of the RFETS waste characterization processes for contact-handled S4000 soils/gravels by removing soil from Intermodal containers into small containers for subsequent sampling relative to the requirements of the WIPP Permit. The Audit Report consisted of the following items:

- A narrative report
- Completed copies of relevant Permit Attachment B6 checklists
- Final RFETS standard operating procedures (hardcopy only)
- Objective evidence examined during the audit
 - General information
 - Soils/gravel sampling

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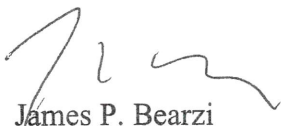


NMED representatives observed the RFETS audit on October 28 – 29, 2003. NMED has examined the Audit Report for evidence of compliance with the requirements of Permit Conditions II.C.2 (Audit and Surveillance Program) and II.C.1 (Waste Analysis Plan [WAP]). The Audit Report indicates there was one recommendation identifying an opportunity for improvement offered for management consideration.

NMED concludes that this Audit Report demonstrates that RFETS has adequately implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for RFETS Audit A-04-08 for the certification of contact-handled S4000 soils/gravels by removing soil from Intermodal containers into small containers for subsequent sampling, and amends the previous Audit Report approvals for Audits A-03-03 and A-03-22 issued by NMED on September 18, 2003 and December 23, 2003 respectively, to include all waste forms and processes evaluated by this certification audit.

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

Attachment

cc: Charles Lundstrom, NMED WWMD
Steve Zappe, NMED HWB
Tracy Hughes, NMED OGC
Howard Roitman, CDPHE HMWMD
Laurie King, EPA Region 6
Betsy Forinash, EPA ORIA
Connie Walker, Trinity Engineering
Don Hancock, SRIC
Joni Arends, CCNS
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