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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 27, 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 LAWRENCE LIVERMORE NATIONAL
LABORATORY/CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT
A-04-25
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Mr. Detwiler and Dr. Warren:

On July 20, 2004, the New Mexico Environment Department (NMED) received the Final Audit Report of the Lawrence Livermore National Laboratory/Central Characterization Project (LLNL/CCP) Audit Number A-04-25 (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 LLNL/CCP waste characterization processes for retrievably stored debris contact-handled waste 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 LLNL/CCP standard operating procedures (electronic and hardcopy)
- Corrective action reports and items corrected during the audit

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

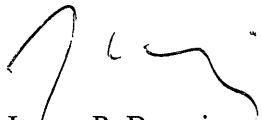
NMED representatives observed the LLNL/CCP audit on May 4 – 7, 2004. NMED has examined the Audit Report for evidence of compliance with the requirements of Permit Conditions II.C.2 (Audit and Surveillance Program) and II.C.1 (Waste Analysis Plan [WAP]). The Audit Report indicates there was one WAP-related condition adverse to quality requiring the issuance of a CBFO corrective action report that was corrected prior to submittal of the Audit Report; seven deficiencies requiring only remedial actions that were corrected during the audit; no observations identifying conditions that, if not controlled, could result in conditions adverse to quality; and five recommendations identifying opportunities for improvement.

Attached are NMED's general comments based upon observation of the LLNL/CCP audit and review of the Audit Report. These are provided to guide future audit report preparation and to assist the Permittees in understanding NMED's concerns. NMED requests that the Permittees correct the items listed in the attachment and return them, indicating revisions to any text in the checklists with redline/strikeout annotation. This will ensure the administrative record contains a complete and accurate Audit Report.

NMED concludes that this Audit Report demonstrates that LLNL/CCP has adequately implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for LLNL/CCP Audit A-04-25 for retrievably stored debris contact-handled waste and processes evaluated by this initial certification audit.

If you have any questions regarding this matter, please contact Steve Zappe at (505) 428-2517.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:soz

Attachment

cc: Charles Lundstrom, NMED WWMD
Steve Zappe, NMED HWB
Tracy Hughes, NMED OGC
Mohinder S. Sandhu, Cal/EPA DTSC
Laurie King, EPA Region 6
Betsy Forinash, EPA ORIA
Connie Walker, Trinity Engineering
Don Hancock, SRIC
Joni Arends, CCNS
File: Red WIPP '04

NMED COMMENTS ON THE
LAWRENCE LIVERMORE NATIONAL LABORATORY/CENTRAL
CHARACTERIZATION PROJECT (LLNL/CCP)
FINAL AUDIT REPORT A-04-25

NMED's review indicated that the Audit Report contained some omissions, errors, and inconsistencies, including but not limited to the following items:

1. Question 31 cites procedure CCP-TP-005 Section 4.6. The cited procedure does not answer the question.
2. Question 168 cites procedure CCP-TP-005 Sections 4.0, 4.4 and 4.6. Although the cited does address the question, NMED believes that adding procedure CCP-PO-001 Section B-4a(2) further clarifies the answer.