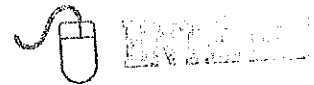




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**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

February 25, 2005

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

Mr. Richard D. Raaz, President  
Washington TRU Solutions LLC  
P.O. Box 2078  
Carlsbad, New Mexico 88221-5608

**RE: NMED COMMENTS ON THE SAVANNAH RIVER SITE/ CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT A-05-01 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088**

Dear Dr. Triay and Mr. Raaz:

On January 10, 2005, the New Mexico Environment Department (NMED) received the Final Audit Report of the Savannah River Site (SRS)/ Central Characterization Project (CCP) Audit Number A-05-01 (**Audit Report**), from the Department of Energy's Carlsbad Field Office (CBFO). CBFO and Washington TRU Solutions LLC (**the Permittees**) are 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 annual recertification audit was to ensure the continued adequacy, implementation, and effectiveness of the SRS/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 (hardcopy and electronic)
- Final SRS/CCP standard operating procedures (hardcopy and electronic)
- Corrective action reports and items corrected during the audit
- Objective evidence examined during the audit
  - General information
  - Acceptable knowledge

050236



- Headspace gas
- Real time radiography (**RTR**)
- Visual examination

NMED representatives observed the SRS/CCP audit on October 26 – 29, 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; no deficiencies requiring only remedial actions that were corrected during the audit; one observation identifying a condition that, if not controlled, could result in a condition adverse to quality; and one recommendation identifying an opportunity for improvement. Attached are NMED's general comments based upon observation of the SRS/CCP audit and review of the Final Audit Report. These comments are provided to guide future audit report preparation and to assist the Permittees in understanding NMED's concerns.

NMED believes the manner in which the Permittees closed Corrective Action Report (**CAR**) 05-005 is inadequate with respect to demonstrating compliance with the permit requirements specified in Permit Attachment B1, Section B1-3a, Methods Requirements, which states, "Containers whose contents prevent full examination of the remaining contents shall be subject to visual examination unless the site certifies that visual examination would provide no additional relevant information for that container." Specifically, NMED believes that reliance on marginally relevant knowledge to conclude that "no prohibited items would be expected in these drums", and thus "no additional relevant information" would be obtained from visual examination, is unsupported because the cited procedures cover only the last six years of the more than three decades of waste generation activities, and NMED generally considers personnel interviews to be the least reliable source of process knowledge. Furthermore, NMED notes that Nonconformance Report (**NCR**) SRS-0569-04 written by SRS/CCP required re-evaluation of approximately 330 drums previously processed by RTR that exhibited similar impenetrable waste problems and included as a remedial action in the corrective action plan for the CAR, which was incomplete at the time the Permittees closed CAR 05-005. Consequently, it appears that closure of CAR 05-005 was premature and would have benefited from proper resolution of NCR-SRS-0569-04.

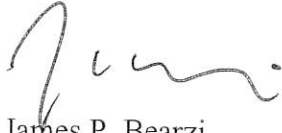
NMED is also concerned about several Batch Data Reports (**BDRs**) included as objective evidence in the Audit Report that were improperly completed. Based on this, NMED also questions whether this reflects a general lack of quality in the completion and review of BDRs by SRS/CCP and whether a significant number of BDRs with similar problems may have been improperly determined to be acceptable by SRS/CCP and the Permittees.

NMED concludes that the Final Audit Report is incomplete in that it does not adequately address all pertinent elements examined during the audit. NMED is withholding approval of the Permittees' Final Audit Report for SRS/CCP Audit A-05-01 due to its incompleteness, the CAR issue, and BDR problems, until the Permittees address the above concerns and the other concerns listed in the attached comments. The Permittees must demonstrate full implementation of all

relevant permit requirements. Indicate revisions to any text in the Audit Report and checklists with redline/strikeout annotation.

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: Marcy Leavitt, NMED WWMD  
Steve Zappe, NMED HWB  
Tracy Hughes, NMED OGC  
R. Lewis Shaw, SC DHEC  
Laurie King, EPA Region 6  
Betsy Forinash, EPA ORIA  
Connie Walker, Trinity Engineering  
Don Hancock, SRIC  
Joni Arends, CCNS  
**File: Red WIPP '05'**

**NMED COMMENTS ON THE**  
**SAVANNAH RIVER SITE/ CENTRAL CHARACTERIZATION PROJECT (SRS/CCP)**  
**FINAL AUDIT REPORT A-05-01**

NMED's review indicated that the Audit Report showed less attention to detail than presented in previous Audit Reports. This less rigorous approach to preparation and completion of a satisfactory Audit Report could result in significant deficiencies in future Audit Reports. The body of the Audit Report appears to generally address the applicable elements. However, there are some omissions, errors, and inconsistencies including but not limited to the following items:

1. On two of the five B6 Checklists (Table B6-1, Waste Analysis Plan (WAP) and Table B6-5, Radiography), the header of every page reads: WAP Requirement<sup>1</sup> (*Insert Site*) AUDIT (*Insert #*). SRS/CCP and A-05-01 should be placed within the parenthesis to document the site and audit number.
2. B6 Checklist, Question 11, Procedure CCP-PO-001, Section B-3c is cited. The cited section does not answer the question.
3. Corrective Action Report (CAR) 05-005 does not identify in Block 8 the following WAP requirements that were violated:
  - Permit Attachment B1, Section B1-3a, Methods Requirements, third paragraph: "Containers whose contents prevent full examination of the remaining contents shall be subject to visual examination unless the site certifies that visual examination would provide no additional relevant information for that container."
  - CCP TRU Waste Quality Assurance Project Plan (QAPJP) Section B1-3a, fourth paragraph: "Containers whose contents prevent full examination to the extent expected for the radiography technique and waste form are subject to VE unless the CCP certifies that visual examination would provide no additional relevant information for that container."
  - SRS/CCP procedures, CCP-TP-053, Rev.2, "*CCP Standard Real-Time Radiography (RTR) Inspection Procedure*", 4.4.3 Data Entry, 4.4.3 [B], which states: "**IF** a container is identified in the S5000 summary category group that cannot be penetrated by the RTR method because of the presence of lead, or other shielding, **THEN** initiate a Nonconformance report (NCR) in accordance with CCP-QP-005, "*CCP TRU Nonconforming Item Reporting and Control*" to allow the waste container to be tagged for VE."

Furthermore, the resolution of CAR 05-005 fails to address the lack of appropriate completion of NCRs that was identified as violated in Block 8 (i.e., addressing the failure to complete an NCR as required by the procedure).

4. As stated in the cover letter, NMED needs further clarification documenting the Permittees justification for closing CAR 05-005 prior to resolution of NCR-SRS-0569-

04. NMED also requests a list of all SRS/CCP NCRs for the subject waste streams where the RTR operator identified the presence of any prohibited item in any examined waste container.
5. CAR 05-005 Block 8 and Attachment 3, on the first page, quotes Procedure CCP-TP-011, Rev. 15, Step 4.7.14[A]. The correct quote should be CCP-TP-011, Rev. 15, Step 4.7.12[A].
6. It is NMED's understanding that certain RTR tapes were reviewed by CTAC in Carlsbad after the audit concluded at SRS, at the request of the CTAC RTR auditor, to determine the accuracy of operator descriptions of "rubber gloves" versus "lead-lined gloves" in BDRs, in comparison to the RTR tapes. NMED requests copies of these RTR tapes. This will assist in NMED's evaluation and determination of any potential BDR vs. RTR/AK discrepancies (e.g., number of drums affected) and/or any missed NCRs.

NMED notes that these RTR tapes should have been available, at auditor's request, at SRS during the audit.

7. Many BDRs submitted as objective evidence for RTR were not properly completed. In the SRS/CCP QAPjP, CCP-PO-001, Rev.8, "*CCP TRU Waste Characterization Quality Assurance Project Plan*", Table B3-1, Waste Material Parameters and Descriptions have two columns (Waste Material Parameter and Description). It also has twelve rows (Iron-based Metals/Alloys, Aluminum-Based Metals/Alloys, Other metals, Other Inorganic Materials, Cellulosics, Rubber, Plastics (Waste Materials), Organic Matrix, Inorganic Matrix, Soils/Gravel, Steel (Packing Materials), and Plastics (Packaging Materials)). In the BDRs, there are tables to be filled in during the characterization process in which the description and estimated weights are determined. In several of the BDRs (listed below) there are *incorrect* entries, in that lead or other metals are present, but the lead is listed as 'Rubber' and the other metals are not listed with an estimated weight.

<u>BDR Number</u>	<u>Problem</u>
<u>SRSRTR0001</u>	<u>Drums with lead-lined gloves.</u> Drums: SR593168, SR593122, SR593125 and SR593123
<u>SRRTR0899</u>	<u>Drum with electrical cord containing copper.</u> Drum: SR193891
<u>SR4RTR0002</u>	<u>Drum with lead-lined gloves.</u> Drum: SR593122
<u>SRRTR1111</u>	<u>Drums with lead-lined gloves.</u> Drums: SR557550, SR281672, SR244538, SR281819, SR244845, SR557534, SR577572, SR244848, SR244739, SR244968, SR281816 and SR610485

Drum with electrical cord containing copper.

Drum: SR176827

SRRTR1393

Drums with lead-lined gloves.

Drums: SR611804, SR611806, HBL02232, SR611074, SR611618, HBL02005, SR545890, HBL02003 and SR557498

Drum with electrical cord containing copper.

Drum: SR557522

SRRTR1192

Drums with electrical cords, electrical motors, electrical devices containing copper.

Drums: FBL03109, SR611482 and FBL01241

SRRTR0917

Drum with electrical device containing copper.

Drum: SR506057

SRSRTR0002

Drums with lead-lined gloves.

Drums: SR593154 and SR593163 (IO also)

Drum with electrical cord containing copper.

Drum: SR609085

SRRTR0637

Drums with electrical devices, electrical cords, electric motors, electrical connectors containing copper.

Drums: FBL-00-0027, SR123548, SR109951 and SR510556

Drums with lead-lined gloves or lead seal.

Drums: SR556882 and SR100503

8. NMED questions why drum SR593122 was put through RTR twice and included in two separate BDRs (SRSRTR0001 and SR4RTR0002). NMED is concerned that the scans were not comparable with each other (For example, the first scan identifies four (4) layers of confinement and no aluminum present while the second scan identifies three (3) layers of confinement and aluminum present, contrary to the first scan.). Therefore, NMED requests both RTR tapes that include drum SR593122.
9. NMED requests RTR tapes for drums SR244538, SR281819, SR593154, and SR609085. These were identified as possible concerns by the NMED observer during the RTR portion of the audit as a "rubber gloves" versus "lead-lined gloves" operator description issue. NMED also requests RTR tapes from BDRs SRRTR1084 and SRRTR0917.