



BILL RICHARDSON  
GOVERNOR

State of New Mexico  
**ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Telephone (505) 428-2500  
Fax (505) 428-2567  
www.nmenv.state.nm.us



ENTERED



RON CURRY  
SECRETARY

DERRITH WATCHMAN-MOORE  
DEPUTY SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 1, 2005

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

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

**RE: NMED APPROVAL OF THE ADVANCED MIXED WASTE TREATMENT PROJECT  
RECERTIFICATION AUDIT A-04-22  
WASTE ISOLATION PILOT PLANT  
EPA I.D. NUMBER NM4890139088**

Dear Dr. Triay and Mr. Raaz:

On February 25, 2005, the New Mexico Environment Department (NMED) received the Final Audit Report of the Advanced Mixed Waste Treatment Project (AMWTP) Audit Number A-04-22 (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 annual recertification audit was to ensure the continued adequacy, implementation, and effectiveness of the AMWTP waste characterization processes for homogeneous solids 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 (hard and electronic copies)
- Final AMWTP standard operating procedures (hard and electronic copies)
- Corrective action reports and items corrected during the audit

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- Objective evidence examined during the audit
  - General information
  - Solids and soils/gravel sampling
  - Acceptable knowledge
  - Headspace gas
  - Real time radiography
  - Visual examination

NMED representatives observed the AMWTP audit on August 16 – 20, 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 were

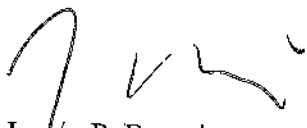
- Two WAP-related conditions adverse to quality requiring the issuance of CBFO corrective action reports that were corrected prior to submittal of the Audit Report;
- One deficiencies requiring only remedial actions that were corrected during the audit;
- Four observations identifying conditions that, if not controlled, could result in conditions adverse to quality; and
- Six recommendations identifying opportunities for improvement.

Attached are NMED's general comments based upon observation of the AMWTP 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 respond to the concerns identified in the attachment and return a revised Audit Report and checklists as appropriate, indicating revisions to any text with redline/strikeout annotation. This will ensure the administrative record contains a complete and accurate Audit Report. The Permittees do not need to provide revised AMWTP procedures, as the comments are only recommendations.

NMED concludes that this Audit Report demonstrates that AMWTP has adequately implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for AMWTP Audit A-04-22 for the recertification of homogeneous solids contact-handled waste, and amends the previous Audit Report approvals for Audits A-03-05 and A-04-12 issued by NMED on December 23, 2003 and July 2, 2004 respectively, to include waste forms and processes evaluated by this recertification 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: Marcy Leavitt, NMED WWMD  
Steve Zappe, NMED HWB  
Chuck Noble, NMED OGC  
Tom Klein, NMED DOEBOB  
Toni Hardesty, IDEQ  
Kathleen Trever, INL Oversight  
Laurie King, EPA Region 6  
Sharon White, EPA ORIA  
Connie Walker, Trinity Engineering  
Don Hancock, SRIC  
Joni Arends, CCNS  
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**NMED COMMENTS ON THE  
ADVANCED MIXED WASTE TREATMENT PROJECT (AMWTP)  
FINAL AUDIT REPORT A-04-22**

NMED's review indicated that the Audit Report showed less attention to detail than presented in previous Audit Reports and, unless remedied, this less rigorous approach to preparation 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. Procedure INST-OI-12, Rev. 18 (Real Time Radiography Operations (Drums)), Section 4.7.3.3.8.24 needs to be modified to clarify when PCBs are considered a prohibited item.
2. Procedure INST-OI-34, Rev. 6 (Visual Examination Operating Procedures and Data Reporting), Exhibit 5. List of Prohibited Items, seventh entry needs to be modified to clarify when PCBs are considered a prohibited item.
3. Procedure MP-TRUW-8.1, Rev. 5 (Certification Plan for INEEL Contact-Handled Transuranic Waste), Section 3.5.6 needs to be modified to clarify when PCBs are considered a prohibited item.
4. Procedure MP-TRUW-8.2, Rev. 3 (Quality Assurance Project Plan (QAPjP)), Section B-1c, sixth bullet as well as WIPP Waste Stream Profile Form (Figure B-1), under the section Homogeneous Solids/Soils/Gravel Sample Analysis, second entry, both need to be modified to clarify when PCBs are considered a prohibited item.
5. Procedure MP-TRUW-8.8, Rev. 10 (Level I Data Validation), Section 4.3.1.6.6.6 needs to be modified to clarify when PCBs are considered a prohibited item.
6. Procedure MP-TRUW-8.14, Rev. 2 (Preparation of Waste Stream Profile Forms), Table 5A needs to be modified to clarify when PCBs are considered a prohibited item.
7. Question 11, under VE, cites procedure INST-OI-34, Section 4.7.3.9 (NOTE). The citation does not exist.
8. Question 276 cites procedure INST-OI-12, Section 4.7.2. This citation does not answer the B6 Checklist question.
9. Objective evidence SOL 006, "Solids Sampling refer to CERTIFICATES (ATTACHED) SPATULAS" laboratory report states that sample J009276 Sample Tools was sampled on 11/21/03 at 10:45. The Chain-of-Custody (COC) states that the sample was taken on 11/21/03 at 11:01. This discrepancy should be resolved.
10. From the above-mentioned COC, there are strikeouts without initials or dates. The COC also does not mention exactly which analysis method was used in the check boxes below

the analysis. It is not clear if the sampler who printed his/her name is the same one as the signature in the sampler signature line. These should be made clear.