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RON CURRY  
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DEPUTY SECRETARY

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

April 29, 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

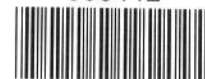
**RE: NMED APPROVAL OF THE ADVANCED MIXED WASTE TREATMENT PROJECT FINAL  
AUDIT REPORT, AUDIT A-05-08  
WASTE ISOLATION PILOT PLANT  
EPA I.D. NUMBER NM4890139088**

Dear Dr. Triay and Mr. Raaz:

On March 30, 2005, the New Mexico Environment Department (NMED) received the initial Audit Report of the Advanced Mixed Waste Treatment Project (AMWTP) Audit Number A-05-08 (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 certification audit was to ensure the adequacy, implementation, and effectiveness of the AMWTP waste characterization processes for debris (S5000) contact-handled waste relative to the requirements of the WIPP Permit. The Audit Report consisted of the following items:

- A narrative report (hardcopy and electronic)
- Completed copies of relevant Permit Attachment B6 checklists (hardcopy and electronic)
- Final AMWTP 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

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- Headspace gas
- Real time radiography
- Visual examination

On April 15, 2005, NMED provided the Permittees with comments on the initial Audit Report, noting that it was incomplete in that it did not adequately address all elements examined during the audit. On April 22, 2005, NMED received the Permittees' response to comments in a transmittal dated April 21, 2005, which included a response to comments, revised B6 checklists, three nonconformance reports, four corrected CARs, and four radiography data sheets and video records.

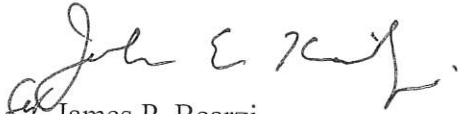
Upon review of this additional information, NMED concludes that the revised Audit Report demonstrates that AMWTP has adequately implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' revised Final Audit Report for AMWTP Audit A-05-08 for the certification of debris (S5000) contact-handled waste, and amends the previous Audit Report approval for Audit A-04-22 issued by NMED on April 1, 2005 to include all waste forms and processes evaluated by this certification audit. This approval is issued with the following limitations:

1. The approval is currently limited to BNFL, the contractor of AMWTP at the time of the audit. NMED received notice on April 22, 2005 of Surveillance S-05-12 scheduled for May 10-13, 2005, which will evaluate the impact of the AMWTP management transition from BNFL to Bechtel on the TRU waste certification program. Following this surveillance and upon submittal of substantive evidence that the procedures, equipment, and personnel audited during A-05-08 have not changed, NMED will evaluate such evidence and issue a new approval explicitly transferring the approval granted in this letter to the new contractor.
2. The approval excludes debris waste from Bettis Laboratory until adequate acceptable knowledge information is evaluated and approved during a subsequent audit.
3. The approval is granted for both newly generated (i.e., supercompacted) as well as retrievably stored debris (S5000) contact-handled waste, despite the fact that waste stream profile forms for retrievably stored debris were not prepared or assessed during the audit. NMED is granting this approval for retrievably stored debris as a one-time exception to NMED's expectation that the Permittees explicitly state the audit scope in audit notification letters (e.g., summary category group, retrievably stored, repackaged, newly generated, etc.) and conduct the audit in conformance with the stated scope.

Dr. Triay and Mr. Raaz  
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If you have any questions regarding this matter, please contact me at (505) 428-2512 or Steve Zappe at 428-2517.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:soz

cc: Cindy Padilla, NMED WWMD  
Steve Zappe, NMED HWB  
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