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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 23, 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 LOS ALAMOS NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT A-05-09 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Dr. Triay and Mr. Raaz:

On May 27, 2005, the New Mexico Environment Department (NMED) received the Final Audit Report of the Los Alamos National Laboratory/Central Characterization Project (LANL/CCP) Audit Number A-05-09 (**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 LANL/CCP waste characterization processes for retrievably stored, newly generated, and repackaged debris (S5000) and retrievably stored homogeneous solids (S3000) 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 LANL/CCP standard operating procedures (hardcopy and electronic)
- Items corrected during the audit

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

NMED representatives observed the LANL/CCP audit on April 11 – 15, 2005. 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:

- One deficiency requiring only remedial actions that was corrected during the audit, and
- Two 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 concludes that this Audit Report demonstrates that LANL/CCP has adequately implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for LANL/CCP Audit A-05-09 for the certification of retrievably stored, newly generated, and repackaged debris and retrievably stored homogeneous solids contact-handled waste, and amends the previous Audit Report approval for Audit A-04-05 issued by NMED on August 27, 2004 to include all waste forms and processes evaluated by this annual recertification audit.

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

Sincerely,


James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:soz

Attachment

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

Chuck Noble, NMED OGC
Tom Klein, NMED DOEOB
Laurie King, EPA Region 6
Sharon White, EPA ORIA
Connie Walker, Trinity Engineering
Don Hancock, SRIC
Joni Arends, CCNS
File: Red WIPP '05

NMED COMMENTS ON THE
LOS ALAMOS NATIONAL LABORATORY/CENTRAL CHARACTERIZATION
PROJECT (LANL/CCP)
FINAL AUDIT REPORT A-05-09

NMED's review indicated that the body of the Audit Report and the B6 checklists generally appear to address the applicable elements. NMED provides the following comments for the Permittees' consideration:

1. B6 Question 8, third bullet, provides an incomplete list of waste codes allowed under the permit. NMED recognizes that the Permittees submitted a Class 1 permit modification notification on April 27, 2005, several weeks after the LANL/CCP audit. NMED expects that LANL/CCP and other generator site QAPjPs and procedures will be modified to reflect this change to ensure complete characterization.
2. B6 Question 276 cites procedures CCP-TP-053 Sections 4.9 – 4.13. Although the cited answer is good, the last sentence in Question 276 is not answered within the cited sections. Section 2.4.2 seems to answer the last sentence in this question.
3. Pertaining to the Offsite Source Recovery Program, NMED is aware that hundreds of commercial, medical, and non-defense related sources are being accepted and managed at LANL and are being considered for disposal at WIPP. The Permittees must ensure that each source shipped to WIPP originates from a defense activity as specified in the WIPP Land Withdrawal Act and the July 1, 1981 Agreement for Consultation and Cooperation between the State of New Mexico and the US Department of Energy.