



Department of Energy  
Carlsbad Field Office  
P. O. Box 3090  
Carlsbad, New Mexico 88221

JUL 03 2008



Mr. James Bearzi, Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 E. Rodeo Park Dr. Bldg. 1  
Santa Fe, New Mexico 87505-6303

Subject: New Mexico Environment Department Partial Approval of the Los Alamos National Laboratory-Central Characterization Project Final Audit Report, Audit A-07-12, Waste Isolation Pilot Plant EPA I.D. Number NM489013988

Dear Mr. Bearzi:

On June 11, 2008, the WIPP Permittees invoked the dispute resolution provisions found in the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit (Permit), Condition I.L. Notification was provided to the WIPP E-mail notification list and meetings scheduled with the New Mexico Environment Department (NMED) in order to reach an agreement during the 30-day informal negotiation period. The dispute was regarding the NMED partial approval of the Final Audit Report for Audit A-07-12 of the Los Alamos National Laboratory-Central Characterization Project (LANL-CCP). The NMED approved the contact-handled transuranic (CH TRU) characterization portion of the report but withheld approval for the remote-handled (RH) TRU activities.

In order to reach agreement, the Permittees and the NMED Hazardous Waste Bureau (HWB) met on June 18 and June 26, 2008 at the HWB offices in Santa Fe. During these meetings, the Permittees discussed information provided to the HWB in order to assure a complete record of waste packaging information was available. Specifically, the Permittees provided the following information:

- Copies of specific Batch Data Reports requested by the HWB
- Copies of LANL logbook pages documenting waste packaging activities
- Examples of similar packaging activities at the Rocky Flats Environmental Technology Site, the Idaho National Laboratory, and Argonne National Laboratory-East
- Documentation packages for each of the 16 LANL canisters containing signatures for various waste management activities by waste handling personnel, radiation control personnel and supervisory personnel involved in the packaging and transportation process. Included in this package was a summary explanation of the processes used, and why the permittees consider the documentation adequate for traceability.

At the June 26, 2008 meeting, the Permittees explained that the signatures on work sheets attached to packaging diagrams constituted sufficient documented review and verification of the accuracy of the packaging operation to allow the information in the acceptable knowledge record to be used as characterization data for the waste stream and for each canister.



Mr. James Bearzi

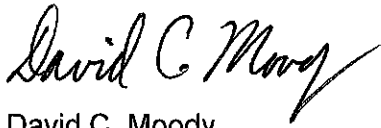
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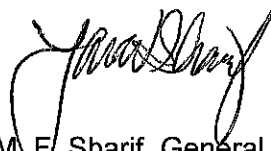
The HWB acknowledged the information provided and the Permittees explanation. The HWB stated that their concerns regarding traceability and signatures were relieved and that they would review the submitted material to confirm traceability of packaging. The HWB committed to inform the Permittees of the terms of the agreement in writing in accordance with Permit Condition I.L.3 by the end of the informal negotiation period.

The Permittees appreciate the time and effort that the HWB has put forth in resolving this issue and we look forward to your response. If you need additional information on this subject, please contact Mr. D. C. (Casey) Gadbury at (575) 234-7372.

Sincerely,



David C. Moody  
Manager



M. F. Sharif, General Manager  
Washington TRU Solutions LLC

cc:

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