



Department of Energy
 Carlsbad Field Office
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 October 8, 2008

 ENTERED

Mr. Steve Zappe
 New Mexico Environment Department
 Hazardous Waste Bureau
 2905 Rodeo Park Drive East, Building 1
 Santa Fe, New Mexico 87505-6303

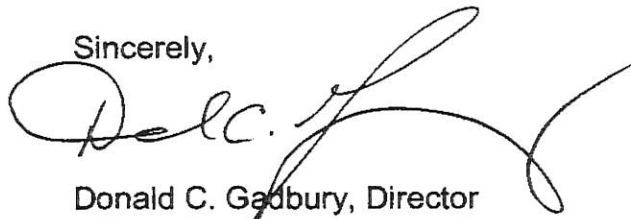


Dear Mr. Zappe:

Enclosed please find our response to the Observer Inquiry form that was issued following the Central Characterization Project Oak Ridge National Laboratory (CCP ORNL) Audit, A-08-12, conducted June 30 to July 4, 2008. The inquiry is related to the concerns over Waste Stream Profile Forms and Characterization Information Summaries availability during the audit.

We believe that this inquiry has been addressed, and if you have any questions, please contact J. R. Stroble at 575-234-7313.

Sincerely,



Donald C. Gadbury, Director
 Office of the National TRU Program

Enclosure

cc: w/enclosures
 S. Holmes, NMED HWB *ED
 C. Walker, Trinity Engineering ED

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 C. Fesmire, CBFO ED
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 Site Documents ED

*ED denotes electronic distribution



CBFO Response to Observer Inquiry A-08-12 issued July 2, 2008 at the ORNL/CCP Audit:

The Inquiry reads as follows:

"CCP representatives indicate that no WAP-required WSPF or CIS were prepared for waste stream OR-REDC-RH-HET for Audit A-08-12. CCP states that there is no requirement to have these documents ready because ORNL has already been approved for S5000 waste, and thus no AK (or other) audit is technically required for the waste Summary Category Group (SCG) beyond those elements that are unique to the RH waste characterization process (e.g., VE procedures for RH waste, etc.). At all preceding audits that included RH waste, the RH waste characterization process was presented and evaluated more thoroughly, including review of draft WSPFs, CISs, etc.

While the Permit does not specify that an RH audit will be performed for each SCG, NMED (and the public) expect that the RH program will be thoroughly assessed by the Permittees at these audits. In the case of ORNL and other sites where only an RH waste stream was assessed, NMED expected that the waste stream would be ready for full evaluation, including a demonstration of Permit Attachment B6 compliance. To ensure a full evaluation of RH waste streams, the public expected NMED to fulfill its obligation to ensure all waste forms and categories would be sufficiently audited. Because the ORNL RH waste stream audit showed that hazardous waste code assignments required revisiting, and because the AKE has indicated that additional CH chemical data is being assembled that could impact HWN assignment, NMED believes it is important to have a complete characterization package, including the WSPF and CIS, as part of a complete audit.

NMED requests that the Permittees state their position on the evaluation of CH and RH waste characterization activities by SCG at audits. NMED may use the permit renewal process to formally address the need to clearly impose a requirement to perform RH-specific audits and RH-specific approvals."

CBFO Response:

The Permit requires that an AK traceability analysis be performed during audits on the Summary Category Groups being audited (Ref: Permit Attachment B4-3g). Because the Summary Category Group of Debris (S5000) was audited during audit A-08-04 (CH audit) in November, 2007, and the required AK traceability analysis for S5000 waste was performed, there is no Permit requirement to perform a full AK traceability analysis again to gain approval of visual examination of remote-handled waste during audit A-08-12 (RH audit of the same waste stream) in July, 2008. CBFO audited the AK process that had been applied to OR-REDC-RH-HET.

CBFO believes it is unnecessary to add a requirement to perform separate AK traceability analyses for RH and CH Summary Category Groups during the Permit renewal process. There is no difference in the characterization requirements for RH waste vs. CH waste with the exception that visual examination or radiography of 100% of RH containers is required. The distinction between RH and CH is radiological and is not based on the characteristics of the waste that make it hazardous waste. The process for lot evaluation, EPA Hazardous Waste Number assignment, Waste Stream Profile Form approval, and Characterization Information Summary preparation is identical for RH and CH waste.