



NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 31, 2008

Dr. David Moody, Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
Carlsbad, New Mexico 88221-3090

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

RE: NMED APPROVAL OF THE ARGONNE NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT A-08-24 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Dr. Moody and Mr. Sharif:

On September 18, 2008, the New Mexico Environment Department (NMED) received the Final Audit Report of the Argonne National Laboratory/Central Characterization Project (ANL/CCP) Audit Number A-08-24 (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 ANL/CCP waste characterization processes for Summary Category Group S5000 debris remote-handled (RH) 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 ANL/CCP standard operating procedures (hardcopy and electronic)
- Objective evidence examined during the audit
 - General information
 - Acceptable knowledge

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- Headspace gas
- Visual examination

A NMED representative observed the ANL/CCP audit on August 5-7, 2008 in Carlsbad, New Mexico. 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 that there was:

- One deficiency requiring only remedial action that was corrected during the audit; and
- One recommendation identifying an opportunity for improvement.

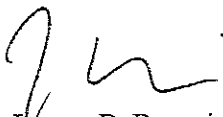
Attached are NMED's general comments based upon observation of the ANL/CCP audit and review of the Audit Report. These are provided to guide future audit report preparation and to assist the Permittees in understanding NMED's concerns. NMED requests that the Permittees correct the items listed in the attachment and return them, indicating revisions to any text in the Audit Report and checklists with redline/strikeout annotation. This will ensure the administrative record contains a complete and accurate Audit Report.

NMED concludes that this Audit Report demonstrates that ANL/CCP has implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for ANL/CCP Audit A-08-24 for the recertification of S5000 debris RH waste and amends the previous Audit Report approvals for Audits A-07-03 and A-08-03 issued by NMED on October 31, 2007 and July 31, 2008, respectively, to include all waste forms and processes evaluated by this recertification audit.

This Audit Report approval is of the broad programmatic implementation of waste characterization requirements at the generator/storage site, and does not constitute approval of individual waste characterization procedures, nor condone inappropriate applications of those procedures. This approval does not relieve the Permittees of their obligation to comply with the requirements of the Permit or other applicable laws and regulations.

If you have any questions regarding this matter, please contact me at (505) 476-6016 or Steve Zappe at (505) 476-6051.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:soz

Dr. Moody and Mr. Sharif
October 31, 2008
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cc: Marcy Leavitt, NMED WWMD
Steve Zappe, NMED HWB
Chuck Noble, NMED OGC
Thomas Kesterson, NMED DOEOB
Gordon Appel, IDNS
John Riekstins, IL EPA
Laurie King, EPA Region 6
Tom Peake, EPA ORIA
Connie Walker, Trinity Engineering
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Joni Arends, CCNS
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**NMED COMMENT ON THE ARGONNE NATIONAL
LABORATORY/CENTRAL CHARACTERIZATION PROJECT (ANL/CCP)
FINAL AUDIT REPORT A-08-24**

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. In questions 4a and 151 of the B6 checklist, the response is "NA" for procedures and objective evidence, with a comment that ANL/CCP is not seeking an AKSD. NMED notes that procedures for submitting AKSD requests were evaluated and cited in the B6 checklists for previous audits (e.g., A-07-03, A-07-14, A-08-01) even though the generator site was not seeking an AKSD. NMED recommends that the Permittees revise the B6 checklist for these two questions to be consistent with those previous audit reports and to preserve CCP's ability to request an AKSD at ANL if they choose to do so at some point in the future.
2. The comment in B6 checklist questions 23 and 24 is "Solid Sampling is not in the scope of this audit" but there is no explanation why. NMED recommends that the Permittees provide the reason in the comment field.
3. Prohibited items are not adequately addressed in CCP-TP-500. NMED has previously included this comment on other audit reports, and therefore recommends that the Permittees' require CCP to revise the procedure to include a table of prohibited items, similar to Table 1 in CCP-TP-053, CCP-TP-113, and CCP-TP-508.
4. In question 313 of the B6 checklist, the entry for procedures and objective evidence are "N/A" and the comment is "Any liquids found will be removed. VE is performed during packaging so any liquids will not be included in the container." The Permittees must cite a procedure that prohibits liquid from being placed in containers and requires the VE operators to remove liquid.