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**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*

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RON CURRY  
Secretary

SARAH COTTRELL  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

October 14, 2010

Ed Ziemianski, Acting Manager  
Carlsbad Field Office  
Department of Energy  
P.O. Box 3090  
Carlsbad, New Mexico 88221-3090

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

**RE: NON-FINANCIAL RECORDS REVIEW INSPECTION OF PERMITTEES' WASTE  
CONFIRMATION PROGRAM  
WASTE ISOLATION PILOT PLANT  
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Ziemianski and Sharif:

The New Mexico Environment Department (NMED) conducted a Non-Financial Records Review inspection of the Waste Isolation Pilot Plant (WIPP) waste confirmation records and program on June 11, 2010 in Idaho Falls, Idaho and on October 6, 2010 in Carlsbad, New Mexico. The purpose of this inspection was to determine the Permittees' compliance with the waste confirmation requirements specified in Attachment B7 of the WIPP hazardous waste facility permit (Permit). The inspection included interviews with waste confirmation personnel, a review of waste confirmation procedures, and a review of non-financial records associated with the waste confirmation program in Idaho Falls and Carlsbad. Based on that review of the information obtained, NMED found no violations of Attachment B7 of the Permit.

NMED has one concern regarding the implementation of new Permit requirements resulting from the April 1, 2010 Class 2 Permit modification revising the liquid prohibition. While confirmation procedures meet the Permit requirements, confirmation personnel do not have adequate job aids to quantify the amount of liquids found in waste containers during radiography examinations. NMED informed the Permittees of this concern on October 6, 2010 in Carlsbad. The Permittees agreed to develop and implement visual job aids to assist the confirmation radiography operators quantify liquids by the next NMED inspection of the confirmation program.

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Messrs. Ziemianski and Sha  
October 14, 2010  
Page 2

No further action is required at this time. However, this letter does not relieve WIPP of its obligation to comply with any other sections of the WIPP Permit or other applicable laws and regulations.

If you have any questions regarding this letter, please contact Tim Hall of my staff at (505) 476-6049. Please address any written response to the attention of Mr. Hall at the address on the letterhead.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:th

Attachment

cc: Steve Zappe, NMED HWB  
Art Vollmer, NMED HWB  
File: Red WIPP '10