



NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1

Santa Fe, New Mexico 87505-6303

Phone (505) 476-6000 Fax (505) 476-6030

www.nmenv.state.nm.us

SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

DAVE MARTIN
Secretary

RAJ SOLOMON, P.E.
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 25, 2011

Edward Ziemianski, Acting Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3100
Carlsbad, New Mexico 88221-3100

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

**RE: NMED APPROVAL OF THE ADVANCED MIXED WASTE TREATMENT PROJECT FINAL
AUDIT REPORT, AUDIT A-10-24
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Ziemianski and Sharif:

On December 16, 2010, the New Mexico Environment Department (NMED) received the Final Audit Report of the Advanced Mixed Waste Treatment Project (AMWTP) Audit Number A-10-24 (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 AMWTP waste characterization processes relative to the requirements of the WIPP Permit for Summary Category Group S3000 homogeneous solids and S5000 debris contact-handled waste, and the sampling processes for S3000 homogeneous solids and S4000 soils/gravel contact-handled waste. This recertification Audit Report consisted of the following items:

- A narrative report (hardcopy and electronic)
- Completed copies of relevant Permit Attachment B6 checklists (hardcopy and electronic)

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- Final AMWTP standard operating procedures for characterization of the waste categories listed above (hardcopy and electronic)
- Items corrected during the audit
- Objective evidence examined during the audit
 - General information
 - Solids and soils/gravel sampling
 - Acceptable knowledge
 - Headspace gas sampling
 - Real-time radiography
 - Visual examination

NMED representatives observed the AMWTP audit on August 23-26, 2010. 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:

- Two deficiencies requiring only remedial actions that were corrected during the audit;
- One observation identifying a condition that, if not controlled, could result in a condition adverse to quality; and
- One recommendation identifying an opportunity for improvement.

Attached are NMED's general comments based upon observation of the 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 AMWTP has implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for AMWTP Audit A-10-24 for the recertification of S3000 homogeneous solids and S5000 debris contact-handled waste and the sampling processes for S3000 homogeneous solids and S4000 soils/gravel contact-handled waste, and amends the previous Audit Report approvals for Audits A-09-19 issued by NMED on January 8, 2010, to include all waste forms and processes evaluated by this recertification audit. However, as the June 11, 2010 CBFO memorandum of certification expansion for AMWTP states in a footnote to Table 1 – Approved Waste Characterization Processes, "Coring activities of soil/gravel (S4000) waste from other generator sites is approved, but is not certified for disposal at WIPP." No AMWTP S4000 waste will be accepted for disposal at WIPP until procedures are developed and processes are completely assessed and accepted by CBFO, and NMED has approved the final audit report.

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

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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 Steve Zappe at (505) 476-6051.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

BRZ:soz

Attachment

cc: Steve Zappe, NMED HWB
Thomas Kesterson, NMED DOEOB
Toni Hardesty, IDEQ
Susan Burke, IDEQ INL Oversight
Laurie King, EPA Region 6
Tom Peake, EPA ORIA
Connie Walker, Trinity Engineering
Don Hancock, SRIC
Joni Arends, CCNS
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NMED COMMENTS ON THE
ADVANCED MIXED WASTE TREATMENT PROJECT (AMWTP)
FINAL AUDIT REPORT A-10-24

NMED has determined that the narrative report and the objective evidence are adequate and consistent with NMED's observations during the audit. The completed Permit Attachment B6 checklists, however, do not demonstrate that the permit requirements are adequately satisfied by the cited implementing procedures. Moreover, the Audit Report showed less attention to detail than presented in previous Audit Reports and, unless remedied, this less rigorous approach to preparation could result in significant deficiencies in future Audit Reports. NMED provides the following comments for the Permittees consideration:

1. In question 7 of the B6 checklist the cited procedure, MP-TRUW-8.14, S. 4.0, does not define Summary Category Groups. NMED made this same comment on last year's Audit Report (A-09-19), and CBFO revised the B6 checklist at that time to address NMED's comments.
2. In question 9 of the B6 checklist the cited procedure, INST-FOI-17 (All) implies that the entire procedure addresses incompatible materials. Likewise, MP-Q&SI-5.4 (All) addresses nonconformances, but does not appear to address incompatible materials. Revise these citations to include the specific sections (e.g., INST-FOI-17, S. 4.2, S. 4.6 and Appendix B, etc.) in each procedure that address incompatible materials.
3. In question 19 of the B6 checklist the following statement in the Comment column is unclear and should be revised: "Interview with HG and SS personnel, examination of HG and SS equipment 8/23-24/10 confirmed information in plans correct and complete."
4. The list of procedures in question 30 of the B6 checklist appears to be incomplete. While there is objective evidence listed (i.e., batch data reports) for headspace gas, solids sampling, and radiography, the relevant procedures for those activities are not listed.
5. In question 76 of the B6 checklist the comment states, "AMWTP does not have newly generated waste streams." This should be revised to clarify that AMWTP does not have newly generated S3000 or S4000 waste streams.
6. In question 144 of the B6 checklist any of the procedures cited for parts D, E, and F with a location of "(All)" should be more specific by referencing the specific section(s) in the procedures that address the question.
7. In question 148 of the B6 checklist there are no procedures cited.
8. In question 149b of the B6 Checklist, the citation given for Part G, INST-OI-17, (All) is too generalized to answer the question correctly and the citation should list the Sections that apply to answer the question.
9. In question 150 of the B6 Checklist, the citation given for Part A, MP-TRUW-8.13, (All) is too generalized to answer the question correctly and the citation should list the Sections that apply to answer the question.
10. In question 168 of the B6 Checklist, the citation given for Part A, MP-M&IA-17.2, (All) does not fully answer the question. The checklist should also cite MP-TRUW-8.2, S. B3-9 for completeness.

11. In question 168, part E, of the B6 checklist the cited procedure, MP-RTQP-14.4 (All) does not appear to answer the question. The question asks about representativeness of AK information, while the cited procedure relates generally to personnel qualification and certification. Justify the relevance of this procedure.
12. In question 187 of the B6 Checklist, the citation given, INST-OI-11, (All), is too generalized to answer the question correctly. The correct citation should be INST-OI-11, Section 4.4.6.
13. In questions 296 through 300 the reference cited, QP-VE-0001, is AMWTP's qualification card, not an implementing procedure. This should be noted in the Comment field.
14. In question 313 of the B6 checklist the cited procedure, INST-FOI-17 S. "4.2.23 Fig.5" should be "4.2.20.2 Fig.5." Additionally, INST-FOI-17 S. 4.2.21.6 does not answer the question. A better citation is INST-FOI-17 S. 4.2.21.7 and 4.2.21.8.
15. The references to the WIPP Permit and QAPjP sections and language in Appendix B of MP-RTQP-14.20 for VE and RTR training are out of date. For example, Page B8 of B11 cites section B1-3b(3) for VE training, and includes language from the Permit before it was revised in November 2006. The new VE training requirements are covered in section B1-4 of the Permit and QAPjP now.

NMED made this same comment on last year's Audit Report (A-09-19), and CBFO responded that AMWTP would be "made aware of the need for update of Appendix B." NMED notes that changes were made to the training requirements in the renewal Permit issued on November 30, 2010, and therefore the Permittees must now *require* AMWTP to update this procedure to include the current requirements and references to correct sections of the current Permit and QAPjP.