



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
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Phone (505) 476-6000 Fax (505) 476-6030
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DAVE MARTIN
Secretary

RAJ SOLOMON, P.E.
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 17, 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 OAK RIDGE NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT A-11-08 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Messrs. Ziemianski and Sharif:

On May 6, 2011, the New Mexico Environment Department (NMED) received the Final Audit Report of the Oak Ridge National Laboratory/Central Characterization Project (ORNL/CCP) Audit Number A-11-08 (**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 Section 2.3.2.3. The intended scope of this annual recertification audit was to ensure the continued adequacy, implementation, and effectiveness of the ORNL/CCP waste characterization processes for retrievably stored remotely handled (RH) and contact handled (CH) debris, as well as CH soils/gravel wastes relative to the requirements of the WIPP Permit.

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The Audit Report consisted of the following items:

- A narrative report (hardcopy and electronic)
- Completed copies of relevant Permit Attachment C6 checklists (hardcopy and electronic)
- Final ORNL/CCP standard operating procedures for characterization of the waste categories listed above (hardcopy and electronic)
- One item corrected during the audit
- Objective evidence examined during the audit
 - General information
 - Solids and soils/gravels sampling
 - Acceptable knowledge
 - Headspace gas sampling
 - Real time radiography
 - Visual examination

NMED representatives observed the ORNL/CCP audit on February 8-10, 2011. NMED has examined the Audit Report for evidence of compliance with the requirements of Permit Sections 2.3.2 (Audit and Surveillance Program) and 2.3.1 (Waste Analysis Plan [**WAP**]). The Audit Report indicates there was:

- One deficiency requiring only remedial actions that was corrected during the audit; and
- One recommendation identifying opportunities 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.

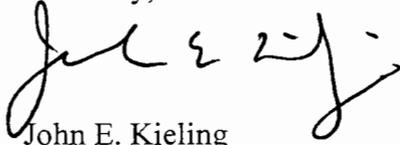
NMED concludes that this Audit Report demonstrates that ORNL/CCP has implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for ORNL/CCP Audit A-11-08 for the recertification of retrievably stored RH and CH debris waste and amends the previous Audit Report approvals for Audit A-10-08 issued by NMED on August 12, 2010; Audit A-09-22 for RH debris issued by NMED on November 2, 2009; and Audit A-07-07 for CH debris issued on April 23, 2009 to include RH and CH S5000 waste 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 CBFO and Washington TRU Solutions LLC of their obligation to comply with the requirements of the permit or other applicable laws and regulations.

Messrs. Ziemianski and S. if
June 17, 2011
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If you have any questions regarding this matter, please contact Steve Holmes at (505) 476-6047.

Sincerely,



John E. Kieling
Acting Chief
Hazardous Waste Bureau

JEK: svh

cc: Tim Hall, NMED HWB
Steve Holmes, NMED HWB
Ricardo Maestas, NMED HWB
Thomas Kesterson, NMED DOEOB
Paul Sloan, TDEC
John Owsley, TDEC DOEOB
Laurie King, EPA Region 6
Tom Peake, EPA ORIA
Connie Walker, Trinity Engineering
Don Hancock, SRIC
Joni Arends, CCNS
File: Red WIPP '11

NMED COMMENTS ON THE
OAK RIDGE NATIONAL LABORATORY/CENTRAL CHARACTERIZATION
PROJECT (ORNL/CCP) FINAL AUDIT REPORT A-11-08

NMED's review indicated that the body of the Audit Report and the C6 checklists generally appear to address the applicable elements. NMED provides the following comment for the Permittees consideration:

1. Question 1 of the C6 Checklist indicates the citation of CCP-PO-001, S. B-0a. Prior to the renewal of the permit this would have been correct. The correct citation should be CCP-PO-001, S. C-0a.
2. Question 33 of the C6 Checklist indicates the citation of CCP-TP-113, S. 4.7, Att.& 3. This is a typographical error. The citation should be CCP-TP-113, S. 4.7 & Att. 3.
3. Question 71 of the C6 Checklist indicates the citation of CCP-QP-008, S. 4.10.2.B. This is a typographical error. The citation should be CCP-QP-008, S. 4.10.2 [B].
4. Question 149b of the C6 Checklist indicates the citation of CCP-PO-001, S. B4-3f. This citation does not exist.
5. Question 248 of the C6 Checklist indicates the citation of CCP-QP-002, S. 4.3.2 [A-2]. This is a typographical error. The citation should be CCP-QP-002, S. 4.3.2 [A.2].
6. Question 262 of the C6 Checklist indicates the citation of CCP-QP-002, S. 4.3.2 [C-2] & D. This is a typographical error. The citation should be CCP-QP-002, S. 4.3.2 [C.2].
7. Section 5.4.2 Project –Level Data Validation and Verification of the Final Audit Report discusses a concern that was identified during the audit. This was later withdrawn after the misfiled document had been located by CCP and subsequently submitted to the audit team as objective evidence. The audit team reviewed and verified that the documentation was sufficient to address the concern. The audit report identifies this document as Memorandum 08:01267 and further states that the memo will be included as objective evidence. Memorandum CP:08:01267 – Report of Field Reference Standard Results for the CCP-ORNL, June 24, 2008 can be found in the General Information folder under GEN20. If this is the correct document that is being referenced please explain the apparent correction to the memos' CP number and provide clarification in section 5.4.2 of the audit report.



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