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NEW MEXICO
ENVIRONMENT DEPARTMENT



ENTERED



Hazardous Waste Bureau

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DAVE MARTIN
Secretary

BUTCH TONGATE
Acting Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 23, 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 BETTIS ATOMIC POWER LABORATORY/CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT A-11-12 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Messrs. Ziemianski and Sharif:

On July 28, 2011, the New Mexico Environment Department (**NMED**) received the Final Audit Report of the Bettis Atomic Power Laboratory/Central Characterization Project (**BAPL/CCP**) Audit Number A-11-12 (**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 initial certification audit was to ensure the adequacy, implementation, and effectiveness of the BAPL/CCP waste characterization processes for retrievably stored remote handled (**RH**) Summary Category Groups (SCG) S5000 debris wastes, 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 C6 checklists (hardcopy and electronic)
- Final BAPL/CCP standard operating procedures for characterization of the waste categories listed above (hardcopy and electronic)

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- Objective evidence examined during the audit:
 - General information
 - Acceptable knowledge
 - Headspace gas sampling
 - Visual examination

NMED representatives observed the BAPL/CCP audit on April 19-21, 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 recommendation identifying areas in AK Summary Report CCP-AK-BAPL-500, Rev 1 that need to be updated to reflect revisions in the renewed Permit.

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 BAPL/CCP has implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for BAPL/CCP Audit A-11-12 for the initial certification of retrievably stored RH debris waste.

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.

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: Jim Davis, Director, NMED RPD
Tim Hall, NMED HWB
Steve Holmes, NMED HWB

Ricardo Maestas, NMED HWB
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Joni Arends, CCNS
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NMED COMMENTS ON THE
BETTIS ATOMIC POWER LABORATORY/CENTRAL CHARACTERIZATION
PROJECT (BAPL/CCP) FINAL AUDIT REPORT A-11-12

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 56a of the C6 Checklist states "List of any AK Sufficiency Determination requested for the waste stream". There should be a statement in the comment column that states that BAPL currently has no AK Sufficiency requests.
2. Question 184 of the C6 Checklist indicates the citation of CCP-TP-082, S. 4.1 and S. 4.2. There is no S. 4.2 in CCP-TP-082.