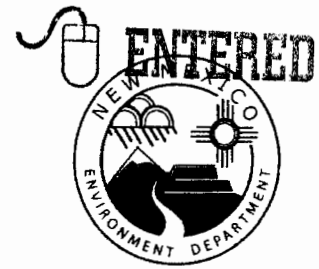




NEW MEXICO ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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JOHN A. SANCHEZ Lieutenant Governor

BUTCH TONGATE Acting Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 29, 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 IDAHO NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT ANALYTICAL LABORATORIES FINAL AUDIT REPORT, AUDIT A-11-13 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Messrs. Ziemianski and Sharif:

On August 18, 2011, the New Mexico Environment Department (NMED) received the Final Audit Report of the Idaho National Laboratory/Central Characterization Project (INL/CCP) Analytical Laboratories Audit Number A-11-13 (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 INL/CCP Analytical Laboratories waste characterization processes associated with headspace gas analysis of S5000 debris wastes; totals analysis of S3000 homogeneous solids and S4000 soils/gravel; generation level data validation and verification of S3000, S4000, and S5000 wastes; and SUMMA canister preparation and certification for use by generator sites, relative to the requirements of the WIPP Permit.

The Audit Report consisted of the following items:

- A narrative report (hardcopy and electronic)

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- Completed copies of relevant Permit Attachment C6 checklists (Tables C6-1, C6-2 and C6-4) (hardcopy and electronic)
- Final INL/CCP Analytical Laboratories standard operating procedures for characterization of the waste categories listed above (hardcopy and electronic)
- Objective evidence examined during the audit:
 - General information
 - Headspace gas analytical data
 - Solids and soils/gravel analytical data

INL/CCP Analytical Laboratories audit A-11-13 was conducted on June 7-9, 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 were no concerns.

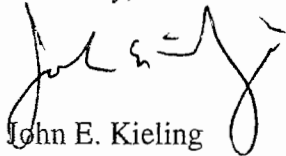
Attached are NMED's general comments based upon review of the Audit Report. These are provided to guide future audit report preparation and to assist the Permittees in understanding NMED's concerns.

NMED concludes that this Audit Report demonstrates that INL/CCP Analytical Laboratories have implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for INL/CCP Analytical Laboratories Audit A-11-13 for the recertification of headspace gas analysis, solids analysis, soils/gravel analysis, generation-level data verification and validation, and SUMMA[®] canister preparation and certification for use by generator sites, and amends the previous Audit Report for A-10-17 issued by NMED on August 30, 2010 to include only those processes evaluated by this recertification audit.

This Audit Report approval is of the broad programmatic implementation of waste characterization requirements at INL/CCP Analytical Laboratories, 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 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
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Thomas Kesterson, NMED DOEOB
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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
IDAHO NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT
(INL/CCP) ANALYTICAL LABORATORIES FINAL AUDIT REPORT A-11-13

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. In Question 32 of the C6 Checklist the Comment states: "The technical supervisor review is no longer required by the permit." NMED recommends the Permittees submit a Permit Modification Request to address this inconsistency between Permit Attachment C3, Section C3-10a and the C6 Checklist.
2. In Question 45 of the C6 Checklist the cited procedure, CCP-QA-005 does not exist. The correct procedure is CCP-QP-005.
3. In Question 186 of the C6 Checklist there is no procedure cited that requires INL/CCP Analytical Laboratories operators to verify that the minimum sample volume for VOC was collected by the generator site. The Permittees must cite such a procedure.
4. Questions 82 and 203 of the C6 Checklist have the term "Teflon7" within the question. The proper term should be "Teflon®" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
5. Question 91 of the C6 Checklist has the term "Teflon8" within the question. The proper term should be "Teflon®" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
6. Questions 126a and 222a of the C6 Checklist have a symbol that looks like an upside down "A". The proper term should be "±" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
7. Question 183 of the C6 Checklist has the letter "I" listed within the question. The proper symbol should be "∞" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
8. Question 186 of the C6 Checklist has the letter "I" listed twice within the question. The proper symbol should be "∞" (this is only in the hardcopy of the C6 Checklist, the electronic copy is correct).
9. Questions 189, 190, 191, 195 and 203 have the term "SUMMA7" within the question. The proper term should be "SUMMA®" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
10. Question 191 of the C6 Checklist has the letter "I" listed three times within the question. The proper symbol should be "∞" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
11. Question 191 of the C6 Checklist has the term "VCR7" listed twice within the question. The proper term should be "VCR®" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
12. Question 195 of the C6 Checklist has the letter "I" listed within the question. The proper term should be "∞" (this is only on the hardcopy, the electronic copy is correct).
13. In the Executive Summary of the audit report, the scope states that "The audit team evaluated the continued adequacy, implementation, and effectiveness of the INL/CCP Laboratories TRU waste characterization activities for HSG analysis of SCG S5000 debris waste; solids analysis of S3000 homogeneous solids and S4000 soils/gravel

wastes; generation-level data V&V; and SUMMA® canister preparation and certification for use by other penetrator sites. Due to the fact that chemical analysis of solids and soils/gravel is conducted to create an analysis report as total RCRA metal and RCRA volatile and semi-volatile chemical, the scope should be changed to read "...activities for HSG analysis of SCG S5000 wastes; *totals* analysis of S3000 homogeneous solids and S4000 soils/gravel wastes; ..."