



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

**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



ENTERED



DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 10, 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 SANDIA NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT A-11-23 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Messrs. Ziemianski and Sharif:

On September 30, 2011, the New Mexico Environment Department (NMED) received the Final Audit Report of the Sandia National Laboratory/Central Characterization Project (SNL/CCP) Audit Number A-11-11 (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 audit was to ensure the adequacy, implementation, and effectiveness of the SNL/CCP waste characterization processes for retrievably stored remote handled (RH) Summary Category Group S5000 debris waste, 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 [Tables C6-1, C6-3, C6-4, and C6-6] (hardcopy and electronic)
- Final SNL/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 SNL/CCP audit 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

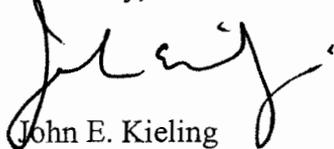
Attached are NMED's general comments based upon observation of the audit and review of the Audit Report. These are provided to guide future audit report preparation and to assist the Permittees in understanding NMED's concerns. NMED requests that the Permittees correct the items listed in the attachment 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 SNL/CCP has implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for SNL/CCP Audit A-11-23 for the initial certification of retrievably stored S5000 debris RH 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 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, NMED RPD
Tim Hall, NMED HWB
Steve Holmes, NMED HWB
Ricardo Maestas, NMED HWB
Thomas Kesterson, NMED DOEOB

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Julia Marple, NMED 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
SANDIA NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT
(SNL/CCP) FINAL AUDIT REPORT A-11-23

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 has the term "?waste stream?" within the question. The question marks should be removed (this is in both the hardcopy and electronic copy of the C6 Checklist).
2. The entire Table C6-3 needs the following header in column 6: Comment (e.g., any change in procedure since last audit), for both hardcopy and electronic copy of the C6 Checklist.
3. Question 152 needs a comment in the comment column stating that SNL/CCP has not submitted an Acceptable Knowledge Sufficiency Determination (AKSD) request.
4. Questions 183 and 186 of the C6 Checklist have the letter "l" listed twice within the question. The proper symbol should be "o" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
5. 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).
6. Question 190 of the C6 Checklist has the letter "l" listed three times within the question. The proper symbol should be "o" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
7. Question 191 of the C6 Checklist has the term "VCR7" listed twice within the question. The proper term should be "VCR®" (this is on the hardcopy of the C6 Checklist, the electronic copy is correct).
8. Question 203 of the C6 Checklist has 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).
9. Question 222a of the C6 Checklist has a symbol that looks like an upside "A". The proper symbol should be "±" (this is only on the hardcopy of the C6 Checklist, the electronic copy is correct).
10. Question 298: The training records for Tommy Mojica indicate that he was not re-qualified within the required two year period. Mr. Mojica signed his 2009 requalification card on May 29, 2009. He signed his 2011 requalification card on June 16, 2011. Additionally, CCP Training signed his 2009 requalification card on June 1, 2009, but signed his 2011 requalification card on July 7, 2011. The Permittees argued to NMED in June 2011 that as long as the requalification card is signed within the same month as the previous requalification card, operators are in compliance with the two year requalification requirement. Since neither the operator nor CCP Training signed within the same month as the previous requalification card, the Permittees must explain why a Corrective Action Report was not issued.