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

BUTCH TONGATE
Deputy Secretary

THOMAS SKIBITSKI
Acting Director
Resource Protection Division

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 25, 2013

Jose Franco, Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
Carlsbad, New Mexico 88221-3100

M. Farok Sharif, Project Manager
Nuclear Waste Partnership LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-5608

RE: NMED APPROVAL OF FINAL AUDIT REPORT, IDAHO NATIONAL LABORATORY ANALYTICAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT AUDIT A-12-14 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Messrs. Franco and Sharif:

On December 13, 2012, The New Mexico Environment Department (**NMED**) received the Final Audit Report of the Idaho National Laboratory Analytical Laboratory/Central Characterization Project (**INL/CCP Labs**) Audit Number A-12-14 (**Audit Report**), from the Department of Energy's Carlsbad Field Office (**CBFO**). CBFO and Nuclear Waste Partnership, 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 Labs waste characterization analytical processes of headspace gas (**HSG**) for Summary Category Group (**SCG**) S5000 debris wastes and solids analysis of SCGs S3000 homogeneous solids and S4000 soils/gravel wastes, relative to the WIPP Permit.

The Audit Report consisted of the following items:

- A narrative report (hardcopy and electronic)
- Copies of relevant Permit Attachment C6 checklists (hardcopy and electronic)
- Final INL/CCP Labs standard operating procedures (hardcopy and electronic)
- Objective evidence examined during the audit:

  - General information
  - Headspace Gas
  - Solids and Soils

NMED representatives observed the audit on June 11-14, 2012. 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 indicated that there were two concerns identified during the audit that are classified as Observations (a condition that, if not controlled could result in a condition adverse to quality).

- Observation 1: The interface and implementing procedures associated with the analytical labs should be revised/updated to incorporate organizational titles, charts, and/or references.

- Observation 2: CCP-QP-002, Section 4.3.7, states, "Solid Analysis personnel are those who perform functions outlined in Attachment 1." Attachment 1 lacks the description of the minimum education and experience requirements for the ACL functions of "High-Performance Liquid Chromatography" processes for determination of "Hydrazine and Formaldehyde".

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 concludes that this Audit report demonstrates that INL/CCP Labs has implemented those applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees Final Audit Report INL/CCP Labs Audit A-12-14 for recertification of waste characterization analytical processes of HSG for SCG S5000 wastes and solids analysis of SCGs S3000 and S4000 wastes, and amends Audit Report A-11-13 issued by NMED on September 29, 2011 to include the analytical and sampling processes and waste forms evaluated by this recertification audit.

If you have any questions regarding this matter, please contact Trais Kliphuis at (505) 476-6051.

Sincerely,

John E. Kieling
Chief
Hazardous Waste Bureau

JEK:tlk

cc: Thomas Skibitski, NMED RPD
Dave Cobrain, NMED HWB
Trais Kliphuis, NMED HWB
Steve Holmes, NMED HWB
Ricardo Maestas, NMED HWB
Thomas Kesterson, NMED DOEOB
Julia Marple, NMED, DOEOB
Toni Hardsety, IDEQ
Susan Burke, IDEQ INL Oversight
Laurie King, EPA Region 6
Tom Peake, EPA ORIA
Connie Walker, Trinity Engineering
File: Red WIPP '13

NMED COMMENTS ON THE INL/CCP Labs FINAL AUDIT REPORT A-12-14

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 comments for the Permittees consideration:

1. Final Audit Report A-12-14, Section 5.4.1 Results of Previous Audits, states; "The audit team identified no CAQs in the previous audit (A-11-13) that resulted in the issuance of Corrective Action Reports (CARs). One observation was issued and no recommendations were identified as a result of last year's audit. The observation dealt with a lack of description for the responsibility and authority between the managing and operating contractor and CCP in establishing, defining, and documenting work activities."

   Observation 1 of the previous audit, Interim Audit Report A-11-13 of July 7, 2011, states; "The objective evidence reviewed did not clearly state the responsibilities and authority between BBWI and CCP in establishing, defining, and documenting work activities. The audit team did verify a Memorandum of Agreement (MOA) was in place between CWI and BBWI for the transition of the INL ACL. CCP is in the process of incorporating responsibilities and authority into procedure CCP-PO-024, Rev.11, CCP/INL Interface Document for the INL ACL. This document defines the interfaces between the CCP and the host site organization(s) necessary to perform this work."

   Audit Report A-12-14 does not mention the final results. What is the status of the observation identified during last years A-11-13 audit? Has CCP incorporated the responsibilities and authority into procedure CCP-PO-024 as the observation stated? Please provide responses to these questions at the next INL/CCP Labs recertification audit.

2. Final Audit Report A-12-14, Section 6.3 Observations, Observation 2 states; "CCP-QP-002, Section 4.3.7, 'Solid Analysis personnel are those who perform functions outlined in Attachment 1.' Attachment 1 lacks the description of the minimum education and experience requirements for the ACL functions of 'High-Performance Liquid Chromatography' process for determination of 'Hydrazine and Formaldehyde'.

   Section 5.4.3 of the audit report, New Programs or Activities Being Implemented, states; "ACL instrument HPLC-1 used for analysis of samples for hydrazine and formaldehyde was evaluated during Surveillance S-12-10, November 1, 2011, and re-evaluated during this audit. The instrument and related process were determined to be adequate, satisfactorily implemented, and effective."

   The High-Performance Liquid Chromatography (HPLC-1) is a new process and equipment that is being requested for NMED approval. NMED approves the HPLC-1 under the condition that procedure CCP-QP-002 be revised to address the concerns stated in Observation 2 and approved for use before the next INL/CCP Labs recertification audit.